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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. PETRI).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
November 14, 2013.

I hereby appoint the Honorable THOMAS E. PETRI to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

SPECIAL IMMIGRATION VISAS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, since 2006, when I offered the first legislation that ultimately became the Iraqi special immigrant visa, I have been haunted by the prospect of the brave Iraqi and Afghan nationals that risked their lives to help American efforts in these troubled countries, that they themselves would be victims because of their trust in us.

As my friend Kirk Johnson eloquently stated in the title of his recent

book, "To Be a Friend is Fatal: The Fight to Save the Iraqis America Left Behind":

For 7 years, it has been a battle to have the United States honor its obligations to those who put their trust in us when they helped us.

As the United States has withdrawn from Iraq and is winding down in Afghanistan, people with very long memories are searching out, hunting down, and killing people they regard as traitors because they helped America as interpreters, as guides, as drivers.

We have seen some bright spots. One was where the program we fought so hard to establish was going to expire September 30, at the height of the government shutdown. In a reaffirmation of our ability to get something important done, we were able, on a bipartisan basis, to secure unanimous consent to keep the special immigrant visa program alive, at least through the end of the year, so we can work the problems out.

Another bright spot for me was being able to be at National Airport a couple of weeks ago, late at night, watching Janis Shinwari, the Afghan interpreter who saved the life of Captain Matt Keller, walk out of that causeway with his young wife and two children. It was a storybook effort of the will of Captain Keller, whose life Janis saved in a firefight, who wouldn't give up after 5 years. At times we didn't think it was possible, but after false starts and great danger to the family, they are now safe in America. This is an illustration of what can happen with effort and, candidly, a little media attention.

But now we are watching the State Department drag its feet on these visas for Afghans who risked their lives, creating impossible burdens for them to establish whether or not they are actually at risk.

Recent news accounts make it clear that there is a committee at the U.S. Embassy in Kabul that is placing inor-

dinate roadblocks for people who we know are at risk, some of whom have already been hunted down and killed. We failed to establish a process that works for them.

We have only approved a trickle of the special immigrant visas out of the almost 9,000 that were authorized. It is unnecessary, it is shameful, and it is dangerous to long-term American interests. Who is going to trust us in the future if we need their help?

I was able to congratulate Secretary Kerry a few weeks ago for the State Department's rapid action to save the life of Janis, but every one of these thousands of cases should not require congressional intervention, extraordinary news coverage, and a major 5-year commitment from people like Captain Matt Keller.

There is no excuse to fail to make the SIV program work. Innocent lives are at stake, American honor is on the line, and our future actions could be compromised.

I would urge my colleagues to attend a session we are having next week to meet Kirk Johnson, who has dedicated his life for years to help these desperate people and for America to restore its honor. Join us next week in room 2168 in Rayburn on Wednesday for a special screening and discussion of the documentary "The List."

It is our duty now to save those who risked so much to help us when we needed them. They must not be left behind to the tender mercies of the Taliban and Al Qaeda.

PULSE OF TEXAS: OBCARE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, the health of the Nation is now in the hands of government. Let's see how it is working out for people who work for a living. Many Americans are feeling

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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the pain of government health care, and here is what some of them have sent me from my congressional district in Texas.

Billie from Spring, Texas, writes:

I can't afford what ObamaCare will cost. How can they say it is better? My company pays part of my insurance, and the insurance is good. Why do I have to change to something I cannot afford? It doesn't make any sense. My doctor told me a lot of them will retire rather than deal with this horrible health care law. The quality of doctors will diminish. I thought the government was for the people.

Well, Billie, apparently the government is for the government and not for the people.

James from Humble, Texas, says:

Please defund ObamaCare. My employer has already informed us our health care will be changing, and this comes at a very bad time for my family. We will be forced into exchanges and employer informs us the company has the right to end subsidized retiree health care in the future. Higher costs, higher deductibles, and total confusion. This will have a negative impact on our economic future as we enter our retirement years.

Small business owner Terrence Wolfe from Humble says:

Defund ObamaCare before we collapse our entire economy. We cannot afford it as a Nation, and I cannot afford it as a small business owner. I cover 80 percent of the premium for all 10 of my employees. All of us are bracing for at least a 20 percent to 40 percent increase.

Shannon Rudd from Humble, Texas, says:

I cannot believe ObamaCare is still a reality. The government has no business managing health care insurance. Furthermore, they have no right to tell Americans if they can or cannot have a procedure performed once the insurance is forced on individuals. Forcing people to pay a fine if they choose not to have health care is asinine and the furthest thing from democracy.

Unfortunately, Mr. Speaker, Shannon is wrong about it being a fine. It is not a criminal penalty; it is a tax. If it were a fine, you could have due process, your day in court, your jury trial, but under a tax, you have to pay the tax first and then fight the IRS to try to get it back. Good luck with that.

Sharon Coyle from Spring, Texas, says:

Now what? We may get the delay in ObamaCare mandate after all because of the cluster it has turned out to be, but what about those of us who have insurance through our employers?

My gold level of my insurance no longer allows me to participate in the flex spending account. I ultimately ended up having to go to a lower plan because it was cost-prohibited. My deductible is higher and now my copays are higher.

I will be paying at least \$2,000 to \$3,000 more per year on top of the \$7,200 I already pay. We were told it is because of ObamaCare.

This is a big dupe to America. Obama wanted everything to be more fair. Sure, we all have insurance now, but no one can afford to go to the doctor.

Well said, Sharon.

Robert Arnold from Humble, Texas, says this:

It is incomprehensible that we put men on the Moon in 1969, but we can't get into a \$400 million Web site to purchase insurance.

Yes, Mr. Speaker, those glitches seem to be a real problem.

Kenneth Earl Beeney from Kingwood, Texas, says:

Now when I look at what is available with OBCare, the plan that is closest to ours is going to cost \$745 a month. This is absurd. It does not look like we will be able to keep our current policy, so we are being forced to pay \$400 per month for coverage and the deductible will be \$12,000.

I really like my current policy and the premium fits our budget. What can be done?

Mr. Speaker, this is bad news for the middle class.

Merin Porter from Houston, Texas, says:

I am the sole breadwinner for a family of five. I am eligible for affordable insurance through my employer; however, my family coverage is prohibitively expensive—\$18,000 per year, or more than 30 percent of my take-home pay. As you can imagine, it is only affordable to us if food, shelter, and clothing were a luxury and not a necessity.

Mr. Speaker, Merin should not have to choose between feeding the family and being forced into ObamaCare. Why has the government done this to the people? As Billie says and said it best, "I thought the government was for the people." Well, apparently not.

And that's just the way it is.

HONORING TOM GARDNER III

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Alabama (Ms. SEWELL) for 5 minutes.

Ms. SEWELL of Alabama. Mr. Speaker, I rise today to honor the outstanding career and acknowledge the retirement of Tom Gardner III.

A community leader, pastor, and family man, Tom served as chief executive officer of the Montgomery Community Action Committee for the past 39 years. For his dedicated service to the city of Montgomery and the State of Alabama, I pay tribute today to the life work of Tom Gardner III.

Tom was born to Reverend Tom Gardner, Jr., and Mrs. Effie Nell Gardner on January 22, 1946, in Hope Hull, Alabama.

Tom served his country in the United States Army in Vietnam from 1966 to 1968. As a result of his exemplary service and sacrifice, he received the Purple Heart in 1967 and the Bronze Star in 1968.

Tom received a bachelor's of science degree from Alabama State University and a master's of public administration from Troy University.

Tom is married to Mrs. Estella Gardner and is the loving father of two children, Debriena and Jonathan, and three grandchildren, Jaeda, Londyn, and Gavin.

In addition to his strong commitment to family, Tom has also demonstrated an enduring dedication to his faith in God. Carrying on the pastoral legacy of his father, Tom currently serves as pastor of Beulah Primitive

Baptist Church in his hometown of Hope Hull, Alabama.

Tom has over 30 years of managerial experience and oversight of Federal, State, and local grants. He administered the Emergency Shelter Grant Homeless Assistance Program, the Community Housing Development Organization, the Housing Counseling Agency, and the Affordable Housing Development Program.

Tom has demonstrated an exemplary commitment to community service throughout his life by his participation in community organizations. Tom has dedicated the past 39 years of his career to the Montgomery Community Action Committee. He began his career at the Montgomery Community Action Committee in 1974 as director of personnel and served as the equal opportunity officer until 1975. He was promoted to chief executive officer of the Montgomery Community Action Committee in 1975, where he served until his retirement in October of 2013.

On a personal note, I know Tom Gardner as my beloved "Uncle Sonny" and my mother's youngest brother. I am blessed to have grown up with his wise counsel and guidance. Since the death of my grandfather, Uncle Sonny has served as the patriarch of the Gardner family. There is not a problem, nor a challenge, nor a concern that my cousins and I have not sought his wisdom and comfort. I am so proud of his 39-year career heading the Montgomery Community Action Committee, and I am equally prideful of my Uncle Sonny's continued dedication to the well-being and spiritual health of our family. Thank you, Uncle Sonny.

On behalf of the Seventh Congressional District, the State of Alabama, and this Nation, I ask my colleagues to join me in celebrating the career and retirement of Tom Gardner III. His life is a testament to his strong work ethic and passion for faith, family, and community.

□ 1015

OBAMACARE VIOLATES THE ORIGINATION CLAUSE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Alabama (Mr. BROOKS) for 5 minutes.

Mr. BROOKS of Alabama. Mr. Speaker, in a bold and agile display of legal sophistry, United States Supreme Court Justice John Roberts upheld the Affordable Care Act by declaring it a tax, while failing to address whether the tax complied with the Origination Clause of our Constitution.

The case of *Sissel v. The United States Department of Health and Human Services* is pending before the D.C. Court of Appeals and headed to the Supreme Court. *Sissel* challenges the constitutionality of roughly 20 tax increases that fund government-run health care.

Constitution article I, section 7 is the Origination Clause. It states, in part, that "all Bills for raising Revenue shall originate in the House."

I have joined 40 Members of Congress in a friend of the court brief filed this week that urges the court of appeals to obey the Constitution and declare the Affordable Care Act taxes unconstitutional because they violate the Origination Clause.

On October 8, 2009, the House of Representatives passed H.R. 3590, the Service Members Home Ownership Tax Act, a six-page bill. H.R. 3590 raised no taxes or revenue of any kind. To the contrary, H.R. 3590 cut taxes for veterans buying homes.

The Senate took H.R. 3590, deleted its substantive provisions and substituted a six-page bill with a 2,074-page bill, commonly referred to as ObamaCare, that raised roughly \$50 billion a year in new taxes, making it one of the largest tax increases in the history of America.

None of these ObamaCare tax increases were in the original House bill. Hence, all of these new tax increases originated in the Senate, not the House, thereby violating the Origination Clause requirement that tax increases originate in the House.

The Origination Clause was subject to significant debate during America's 1787 Constitutional Convention. Massachusetts convention delegate and America's fifth Vice President, Elbridge Gerry, stated that the Origination Clause was "the cornerstone of the accommodation" of the Great Compromise of 1787 that persuaded a majority of the States to ratify the Constitution.

Stated differently, but for the Origination Clause, there would have been no Constitution and no United States as we know it. The Origination Clause was that important.

Virginia Delegate and coauthor of our Bill of Rights, George Mason, explained opposition to Senate tax originations when he declared:

The Senate did not represent the people, but the States in their political character. It was improper, therefore, that it should tax the people. Again, the Senate is not like the House of Representatives chosen frequently and obliged to return frequently among the people. They are chosen by the States for 6 years, will probably settle themselves at the seat of Government, will pursue schemes for their aggrandizement, will be able by wearing out the House of Representatives, and taking advantage of their impatience at the close of a long Session, to extort measures for that purpose.

Mr. Speaker, America's Founding Fathers did not trust the Senate to originate and raise taxes because Senators sat unchallenged for 6 years, the greater part of a decade, and were too insulated and unaccountable for the taxes they forced on American citizens.

Mr. Speaker, no American court in history has ever upheld the constitutionality of taxes under the circumstances presented by ObamaCare. Doing so now would undermine and nullify the letter and spirit of the Origination Clause in a Constitution that has served America so well for so long.

Mr. Speaker, every Federal judge and justice took an oath to defend, protect, and uphold our Constitution. If these judges will put their partisanship and egos aside, if these judges will apply the Constitution as it is written and intended, if these judges will simply honor their oath of office, then ObamaCare will be declared unconstitutional because it violates the Origination Clause, and America's dangerous and failing experiment with socialized medicine will have ended. ObamaCare will be dead, and quality health care for Americans will survive.

HUNGER IN AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. McGOVERN) for 5 minutes.

Mr. McGOVERN. Mr. Speaker, last Wednesday, I had the privilege of joining Monte Belmonte, who is a radio host at WRSI in Northampton, Massachusetts, on a 26-mile walk to raise awareness about the issue of hunger and to raise money for the Western Massachusetts Food Bank. It was an incredible experience. My legs are sore, but it was inspiring to be part of that march.

For the entire 26 miles we were joined by a diverse group of people, people like Bill Stapleton, who is the president of the Northampton Cooperative Bank; Andrew Morehouse, who is the director of the Western Massachusetts Food Bank. We were joined by Dan Finn of Pioneer Valley Local First and a fellow named Sean Berry, who runs Four Season Liquor Store in Hadley.

Along the way, various people joined us for part of the march. We met with school groups along the way. We even marched along with a group called Mutton and Mead, who put on a medieval festival every year in western Massachusetts.

And as we marched, people would stop their cars to offer their support and offer some money; but they would also tell us stories about people they knew who are hungry in our community. Young kids in schools, some of them who marched with us, told us stories about how they had seen firsthand hunger. Some of them raised money to support the march.

We also stopped at a place called the Amherst Survival Center. It is a food pantry, a place for low-income people to get clothes, sometimes medical advice, sometimes counseling. And when we stopped there, the director handed me a bunch of plates, paper plates, where people who go to the Amherst Survival Center, and some people who work there, wanted to send a message to me and to Congress.

I want to read some of these plates. This one says:

Try going hungry. Hunger hurts. The pantry provides.

This one is:

I read the news about SNAP and I am afraid my family will go to bed hungry. How is this possible?

Another person wrote:

I think everyone has a right to healthy food, which is why the pantry is so important.

Linda wrote:

Dear Congress, please help us who need the help. I didn't think I would ever be like this.

This person wrote:

No SNAP, no food.

This person wrote:

I work and I am seeking more work. My husband works. It is not enough.

"Dear Congress, access to affordable food is a basic human right," signed by Shelley.

"What's for dinner? Nothing without the pantry," wrote Emily.

Working in the pantry has opened my eyes to see all the wonderful people struggling in the community.

Dear Congress, we need your help. Blessings.

Food stamps help American agriculture.

Hunger and homelessness in America?

I could go on and on and read some of these plates, and the reason why I am doing this is because we are so inundated with facts and figures and statistics that somehow I think we have lost our ability to feel them.

These are real people. These are real people who are struggling, real people who are working with struggling families. They deserve a voice. And one of the things that people are concerned about is Congress making their lives worse.

We are considering a farm bill; and in the House version of the farm bill, there is a \$40 billion cut in SNAP—3.8 million people would lose their benefits. Hundreds of thousands of kids would no longer have access to free breakfast and lunch at school; 170,000 veterans would lose their benefits.

Mr. Speaker, we can do so much better. One of the things we are here for is to help the people like those who go to the Amherst Survival Center. One of the things that we are here for is to respond to the concerns that we heard along the way as I marched with Monte Belmonte and his crew.

You know, it is nice that this march was a success and they raised a lot of money for the Western Massachusetts Food Bank, but it is not enough. These food banks and these food pantries are at capacity. We can't make things worse.

Surely in the richest country in the history of the world we can do better. We can end hunger.

So, Mr. Speaker, I would urge all my colleagues, as we start to consider the farm bill, please do not support a farm bill that makes more people hungry. Let's do the right thing. This is a problem that we can solve.

Again, I want to thank Monte Belmonte and all the people at WRSI and Northampton for their compassion, for their activism, for helping people in need; but we need to be inspired by people like those who marched with me

from Northampton to Greenfield, and we need to do the right thing.

NEGATIVE EFFECTS OF THE IMPLEMENTATION OF OBAMACARE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Alabama (Mrs. ROBY) for 5 minutes.

Mrs. ROBY. Mr. Speaker, I rise today to share some of the stories of Alabamians who are being negatively affected by the implementation of the Affordable Care Act.

Over the last several weeks, thousands of health insurance policy holders in Alabama have received notice that their plans have been canceled or altered, and their costs have risen, some quite dramatically. This, despite President Obama's often-repeated and unmistakable promise to the contrary.

He promised of the Affordable Care Act:

If you like your doctor, you will be able to keep your doctor. Period. If you like your health care plan, you will be able to keep your health care plan. Period. No one will take it away, no matter what.

Mr. Speaker, we now know this wasn't true. To make matters worse, the disastrous rollout of the ObamaCare Web site has made it nearly impossible for those affected to search for alternatives. The President didn't tell the truth, and the Americans who took him at his word are paying the price.

I recently reached out to Alabamians, asking those who have experienced health care plan cancellations or rate increases because of ObamaCare to tell me their stories. The response has been overwhelming; and, Mr. Speaker, I would like to share just a few of those stories here in the House this morning.

Allyson Strickland, a wife and a homeschooling mother of four from Dothan writes:

We are a family of six with one income, and our premiums doubled from \$420 to \$940 a month. We are already under great financial strain, and this is not helping relieve any of the tension. At this point we are unsure about what we are going to do. With four growing children, we know insurance is vital, but at what cost to the daily needs of our family? We are very disappointed in the Obama administration.

Shaun Cunningham of Montgomery writes:

I am a married father of two beautiful little girls. My jaw dropped when I found out my family's premium was going from \$400 a month to \$722. I called BlueCross first thing Monday morning, but I was told I needed to contact healthcare.gov for assistance. After 6 hours on the phone with them trying to apply for a subsidy, I did manage to find out that there was a cheaper premium. I could choose the Blue Saver Bronze at a rate of \$545 per month, which was still an increase over the plan I liked. The other problem? My individual deductible would be \$6,350 and my family deductible would be \$12,700. I fail to see anything "affordable" about this.

Chris Vuccovich of Montgomery:

Was notified that my policy was not ACA compliant. Paying \$390 for family coverage, just found out comparable plan, "Silver,"

would be \$704, my out-of-pocket went up, so did deductibles and copays. We make too much money and will not qualify for, nor do I want, a subsidy.

Leigh Hayes Wiatt of Montgomery:

Our premium went up to \$1,374 a month.

Angela Zacchini of Greenville:

Our family of four is paying \$417 a month, and it is going to \$765 a month.

Jim Harrell of Prattville:

My doctor retired and told me that he was not going to deal with the changes in the Affordable Care Act. So I could not keep my doctor. Both of my adult daughters got letters indicating their policies were canceled due to not meeting all the requirements of the new law. New policies being issued will be about 33 percent more expensive. One has a specialist doctor who is now going to charge patients a costly fee up front each year, and then pay for services rendered. All of these effects are negative to my family.

Mr. Speaker, these individuals and families are not statistics. They are real people from Alabama's Second Congressional District whose lives are being made more difficult because of ObamaCare.

I don't know why the President repeatedly misled the country about the true implications of this health care law. This is the kind of Washington doublespeak, political doublespeak, people are so fed up with; and this time it is hurting people in a very real way.

We have an opportunity here in the House this week to make it right by acting to protect Americans from these rate hikes and plan cancellations. So that is why I am a cosponsor of Keep Your Health Plan Act, which will allow health care plans currently being offered to continue next year, just like the President promised.

□ 1030

This bill also ensures that Americans choosing to maintain their health care plans will not face a tax penalty under ObamaCare.

I appreciate the leadership of Chairman FRED UPTON of Michigan in bringing forth this legislation. The Keep Your Health Plan Act won't fix every problem with ObamaCare, but it will offer real changes and peace of mind to Americans affected by these changes.

Mr. Speaker, this isn't a partisan issue. Republicans and Democrats alike recognize the basic unfairness that has occurred here. So I urge my colleagues on both sides of the aisle to support the Keep Your Health Plan Act.

AFFORDABLE HEALTH CARE

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Jersey (Mr. PAYNE) for 5 minutes.

Mr. PAYNE. Mr. Speaker, for millions of Americans, the dream of access to affordable health care is becoming a reality, thanks to the Affordable Care Act.

In New Jersey, 2.2 million people have already gained access to free preventative care. Premiums will be 20 percent lower in 2014. Seniors on Medi-

care already received a 50 percent savings on prescription drugs, and more than 70,000 young adults in New Jersey are able to see a doctor because they can stay on their parents' insurance.

Sadly, though, out of purely selfish political motivation, my Republican colleagues are obsessed with making this law fail and are working overtime to take away the benefits millions of people are already enjoying. I challenge my Republican colleagues to channel that same energy into making the law work so that millions can get the lifesaving care that they deserve.

Look around your districts. How many of your constituents could benefit from access to lifesaving health care, to free cancer screenings and reduced prescription drug costs? They don't need a 47th, 48th, or 49th vote to repeal the law. They need the affordable, quality care that the ACA provides. And they are counting on their leaders to make it work, not to work against them to make it fail.

RECOGNIZING DR. TOM KIM AND THE FREE MEDICAL CLINIC OF AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. DUNCAN) for 5 minutes.

Mr. DUNCAN of Tennessee. Mr. Speaker, I rise today to honor a Tennessean who has helped thousands of people in need across my district. Dr. Tom Kim came to America after escaping North Korea at the age of 6. Through a strong Christian upbringing and faith in God, he was led to a lifelong devotion of helping others.

Many years ago, I had lunch with Dr. Kim, and he shared with me his wish to open a clinic that provides free health care to the working poor in my district. The clinic would operate with a mission based on the Bible verse Matthew 25:40, "Whatever you did for the least of these, you did for Me." From that vision came The Free Medical Clinic of America, which this year celebrated its 20th anniversary and 11,000th new patient. What started as a small clinic alongside Dr. Kim's own practice in Knoxville has grown to facilities in four other counties.

Most recently, the FBI office in Knoxville gave Dr. Kim the Director's Community Leadership Award. This yearly honor is given to citizens who go above and beyond in service to their communities.

Mr. Speaker, Dr. Tom Kim is one of the most selfless and kindest men I have ever known and is a man who possesses a contagious energy to help others. I wanted to bring his devotion to others to the attention of my colleagues. I hope The Free Medical Clinic of America continues to be an example of humanity and Christian service for many years to come.

While I came here primarily to honor a health care hero, I also want to make a few additional comments about health care.

The more we learn about the so-called Affordable Care Act, the worse it gets. It should be called the "Unaffordable Care Act" since cost estimates are already double or triple the estimated cost when it was passed, and Federal health plans have always been lowballed on the front end. According to the nonpartisan Congressional Research Service, Medicare was supposed to cost about \$12 billion after 25 years. Instead, CRS reports that it costs almost 10 times that much, and this year, it will cost six times that amount, or over \$600 billion.

Premiums are going way up for most people in preparation for the requirements of the new law.

The Associated Press reported on August 8:

One casualty of the new health care law may be paid coverage for families of people who work for small businesses.

Employers are either not hiring as many workers as they ordinarily would, with many trying to stay under 50 employees so as not to be hit by the new law, or are switching people to part-time work. The State of Virginia notified 10,000 part-time workers they would not be allowed to go over 30 hours a week, and some have said the new norm all over the country is two 20-hour-a-week jobs.

One leading supporter of the act was famously quoted as saying that we would have to pass the law before we could find out what was in it. Now we are finding out all of the promises about keeping your plan if you liked it, keeping your doctor if you liked him, and that premiums would go down by as much as \$2,500 a year were all false, exaggerated, or at least incorrect. Millions have lost or will lose their coverage. Millions more are facing huge increases in their premiums.

In our offices, we have helped many people with Medicare and Medicaid problems, and no one wants to see anyone denied medical care. However, before we start another program that we can't afford, we need to do more to eliminate the tremendous waste, fraud, and abuse that exists in Medicare and Medicaid today.

More significantly, some people and companies have become rich off of these two programs. The administrators of Medicare and Medicaid need to crack down on those who are turning Medicare and Medicaid into monetary bonanzas. One place to start is in the huge discrepancies in charges by hospitals.

A May 8 New York Times article reported that one hospital in Dallas billed Medicare \$160,832 for lower joint replacements while another just 5 miles away and on the same street billed the government an average fee of \$42,632. Two hospitals in New York City varied by 321 percent what they charged for complicated asthma treatment, one billing an average of a little over \$34,000 while the other charged an average of a little over \$8,000.

Columnist Charles Lane of The Washington Post wrote that Medicare reim-

burses power wheelchair suppliers \$4,000 to \$5,000 for a basic chair that costs the supplier \$700. Just yesterday, in the Oversight and Government Reform Committee, we had a hearing about the botched rollout of the Affordable Care Web site. Already, over \$600 million has been spent on this messed up, convoluted, confusing system. It is going to cost billions to straighten it out and keep updating the technology. None of this is going for actual health care. It is just going to some well-connected government contractors who are getting rich at great expense to American taxpayers.

What a great law this is, destroying jobs for average Americans but wonderful for lobbyists and government contractors. Pete Sepp of the National Taxpayers Union said:

How ironic that while the Affordable Care Act is being blamed for slowing job creation outside the beltway, the law is offering plenty of job opportunities to firms inside the beltway willing to promote it.

How sad this is.

ARTICLE 32

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. SPEIER) for 5 minutes.

Ms. SPEIER. Mr. Speaker, recently, a courageous 21-year-old female Naval Academy student was bold enough to report that three men on the Navy football team raped her while she was drunk. Little did she know that when she came forward, she would be put on trial, forced to testify, and be cross-examined for more than 30 hours. She was harangued by the defense team and asked humiliating and abusive questions for hours, with the clear objective to intimidate her and destroy the case.

What is so unbelievable is that her case hadn't even made it to trial. This was only the equivalent of a preliminary hearing, called an Article 32 hearing under the Uniform Code of Military Justice. It is supposed to be used to determine if a case should go forward to trial. The truth is that Article 32s have mutated and now serve to put the victim on trial, not the accused.

Her experience of not only being sexually assaulted but revictimized by the judicial system is all too common in the military. In Article 32 proceedings, it is standard operating procedure for the defense team to subject the victim to every irrelevant, indecent, and outright degrading question you can imagine.

In the Naval Academy case, the victim was asked by one of the defense attorneys, "How wide do you open your mouth for oral sex?" Another question was asked of her, "Did you feel like a 'ho' the next morning?"

These questions would simply never, ever be permitted in a civilian criminal trial, let alone in a preliminary hearing. None of this is in pursuit of the truth, of course. It is all an effort to make victims think twice about even coming forward or pursuing a case.

At one point in the Naval Academy proceedings, the victim asked for a recess because of fatigue. Lawyers for the alleged rapists scoffed, "What is so stressful about this?"

In the civilian world, a preliminary hearing is used to determine if there is probable cause and if a case should go to trial. Oftentimes, the victim is never even called, and the victim is certainly not berated for hours about their previous sexual history. These proceedings are very brief, and the scope of the hearing is limited to the question of probable cause.

The 5-day, 30-hour proceeding is such a glaring example of the difference between what justice looks like in the civilian courts and what it looks like in the military justice system. Simply put, Article 32 hearings are rigged in favor of the accused. The scales are so tilted in favor of the accused, the system is upended.

The proceedings also have a significant chilling effect on sexual assault reporting. Although the numbers have climbed, only 10 percent of the estimated 26,000 annual assaults are actually reported. Now, think about this: 26,000 assaults every year in the military of both men and women—and mostly men, I might add—with only 3,000 reported. Are we at all surprised that the numbers of reports are so small? Less than 1 percent of the offenders are ever convicted. This is called military justice?

After Air Force Lieutenant General Richard Harding testified that 30 percent of the victims drop out during the investigative process, it is time for us to do something meaningful about Article 32 hearings. That is why I am introducing the Article 32 Reform Act along with my cosponsor, the gentleman from Pennsylvania, Congressman PAT MEEHAN, which will align these proceedings with what happens in a civilian preliminary hearing and will give victims the option of whether or not to testify at all.

Ironically, civilian victims are currently afforded this right in military courts but not servicemembers. That is right. We allow civilian victims not to testify in Article 32s but force the brave servicemembers who are victims to be subjected to this abusive process.

This bill has bipartisan support in both the House and the Senate and will finally put an end to these open-ended, abusive hearings that revictimize those who come forward and prevent others from reporting for fear of being savaged by defense attorneys who have only one goal: to shut up the victim and sully their reputations. The proposed reform will put prosecutors in charge. It will shift the focus to probable cause, and the threshold will be what it should be: whether there is sufficient evidence to go to trial.

It is time that we give the same rights to brave servicemembers who come forward to report a crime, the rights that the rest of us have in civilian society. If we are serious about addressing the epidemic of sexual assault,

we must stop treating the victim as the criminal and stop protecting the sexual predators. It is time for us to clean up the military justice system.

HELP FOR THE PHILIPPINES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. AL GREEN) for 5 minutes.

Mr. AL GREEN of Texas. Mr. Speaker, I rise today on a mission of mercy, with a message of gratitude.

I am grateful today to members of the Foreign Affairs Committee; the chairperson, Mr. ROYCE; and the ranking member, Mr. ENGEL. I am grateful that they have filed a resolution to support the people of the Philippines.

My mission of mercy is to ask for help for the people of the Philippines. This resolution, H. Res. 404, speaks to some of what we may be able to do, and it also addresses our sympathy for the people of the Philippines.

□ 1045

It expresses our solidarity with the people of the Philippines. It expresses our continuing support for relief and reconstruction assistance for the people of the Philippines, and it goes on to commend the Filipino community in the United States of America for their efforts to organize and to help with the disaster relief.

The Philippines are our allies. The people of the Philippines have been there with us through many struggles. They are the victims of a force of nature, but they can survive this with our help.

I want people to understand that there is a special relationship between America and the people of the Philippines. They were there with us during World War II. They fought side-by-side with our troops. Many of them fought and died together. My hope is that this special bond, this special connectivity that started long before World War II but that continued through World War II, is something that will cause us to remember that these are our friends. They need our help.

They were also there during this war at the Battle of Bataan. More than 70,000 troops marched in the Battle of Bataan. They were marched to a camp where they were to be incarcerated. Many died along the way. Many of them were Americans. More than 10,000 Americans were a part of that Bataan Death March, as it is called.

We have more than 17,000 troops that are buried in the Philippines. These persons are the ones that took up the clarion call to answer the call to duty in a distant place. My hope is that we will remember that they sacrificed their lives and that the people of the Philippines mean a lot more to us than just a simple place on a map.

I would remind us that on August 30, 1951, 62 years ago, we signed a Mutual Defense Treaty with the people of the Philippines. This is not defense in the

traditional sense of defense, but it is defense in the sense that people are defenseless because they have been impacted by a force of nature unlike any other we may have seen on our planet.

This force of nature, according to USAID, has caused 9.7 million people to be affected. It has caused more than 23,000 people to have their homes damaged or destroyed. It has caused more than 600,000 people to be displaced. It has caused more than 700,000 people to find themselves being evacuated. The death toll is still climbing. It is at more than 2,000.

Today, I rise on a mission of mercy with a message of gratitude. The gratitude is to the United States of America and to this administration for sending in our troops. The Marines have landed, and more are on the way. We have an aircraft carrier, the USS *George Washington*, one of our finest. It will be there to provide support services and produce water.

\$20 million in aid is good, but the world has to come to the aid of the people of the Philippines, and we have to do more.

I know that these are times of great austerity. I understand that we have cuts. I also remember something that happened in my family when a person who lived in our community lost their job. We were poor. We were not born into plenty. We were born into poverty. While we were poor, we still understood that someone who had lost a job merited some support. I can remember my parents talking between themselves about how we could help this family, notwithstanding our sense of poverty. When I say we were poor, I was telling a Member just yesterday that the subsidized public housing would have been a step up in life for us. We called it the "projects," and we looked forward to moving to the projects. We never did, but we looked forward to it.

My point is this. Even when we were poor and when we had little, we still made room to help others who had less, and this is what a great country does, I believe.

A great country doesn't ask what will happen to us if we take up the cause of the people of the Philippines. A great country will ask what will happen to them if we do not take up the cause of the people of the Philippines.

So I beg today that we do all that we can to help and that we sign onto H. Res. 404, expressing our sympathy for the people of the Philippines.

God bless you, and God bless the United States of America. Let's pray for the people of the Philippines.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 49 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Reverend Larry Phillips, Midway Baptist Church, Mount Airy, North Carolina, offered the following prayer:

Almighty God, giver of eternal life, we thank You for this great Republic, a Nation conceived in religious liberty and the free exercise thereof. Today, as generations before us, we seek Your divine hand of providence to guide the affairs of our Nation and those who serve.

Guide our Representatives, we pray, on a path consistent with the original intent of our Constitution. Grant them the strength of character to defend life, liberty, and freedom for future generations. Lead them in the path of righteousness which will exalt this Nation.

As public servants, keep them from the sin of arrogance and self-centered pride by reminding them they are accountable to the people and to You for their decisions.

And I pray each Representative of this House may know that they are greatly loved by You.

As a follower of Jesus Christ, I pray this in His name.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. HULTGREN. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. HULTGREN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Illinois (Ms. KELLY) come forward and lead the House in the Pledge of Allegiance.

Ms. KELLY of Illinois led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING REVEREND LARRY PHILLIPS

The SPEAKER. Without objection, the gentleman from North Carolina (Mr. COBLE) is recognized for 1 minute.

There was no objection.

(Mr. COBLE asked and was given permission to revise and extend his remarks.)

Mr. COBLE. Mr. Speaker, I am pleased that you accepted our nomination of Surry County minister and commissioner, Larry Phillips from Mount Airy, to lead the House with the opening prayer. In the short time that I have represented Surry County, I have come to know Larry as an outstanding elected official and a principled and thoughtful person.

Reverend Phillips is currently serving in his 25th year as senior pastor of Midway Baptist Church in Mount Airy, which is affiliated with the Southern Baptist Convention. He is a graduate of Liberty Baptist Theological Seminary, holds a master of arts in biblical studies, and is completing his master's of religious education.

Mr. Speaker, it has been said in North Carolina there are more Baptists than there are North Carolinians, and Reverend Phillips and his family belong to that very distinguished group.

Larry Phillips was born in Cherokee County, North Carolina, and has been married to Melinda Gay Johnson Phillips for 36 years and is father to Andrea and Darren, father-in-law to Meagan, and grandfather to Madison and Branson.

Larry Phillips was elected to the Surry County Board of Commissioners in 2012 and serves on the County Commissioners Economic Development Task Force, including the North Carolina Association of County Commissioners and Board of Directors.

We are pleased, Mr. Speaker, to have Larry Phillips as our guest chaplain today.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Ms. Foxx). The Chair will entertain 15 further requests for 1-minute speeches on each side of the aisle.

EFFECTS OF OBAMACARE

(Mr. BOEHNER asked and was given permission to address the House for 1 minute.)

Mr. BOEHNER. Madam Speaker, I have heard from many of my constituents over the last couple of weeks who are struggling mightily under the President's health care law.

Ed from Hamilton is one of them. He and his wife recently retired but aren't old enough yet for Medicare. Their health care plan is being canceled. It is being replaced with one that will cost \$500 more per month. Now think about that: \$500 more per month every month for their new health care plan.

Then there is Brian from West Chester, my hometown. He runs a small business, just like I used to. Brian has been told that his health care premiums are going to double. If that happens, Brian said to me he might have to close his doors. That means his workers are going to lose their plan and lose their job.

Now, these are just two stories from my district in Ohio, and there are millions more of them all around the country. Premiums are going up. People are losing their coverage, and small businesses are being terrified.

The President's health care law is hurting a lot of our constituents. If he is serious about helping them, he can start by making good on his promise and supporting the Keep Your Health Care Act.

I would encourage every Member to help keep that promise and vote for this important bill.

THE PHILIPPINES ARE IN NEED

(Ms. CHU asked and was given permission to address the House for 1 minute.)

Ms. CHU. Madam Speaker, today my thoughts are with the victims of Super Typhoon Haiyan in the Philippines. The typhoon ravaged the Philippines, bringing sustained winds that reached 175 miles per hour and storm surges reaching 13 feet.

In the aftermath, reports have confirmed more than 2,300 dead; but the number could be far larger. Haiyan wiped out roads, electricity, and communications in much of the country.

Mayors are faced with unthinkable decisions, like choosing between transporting in food and relief supplies or transporting out the bodies of victims.

When those in the other parts of the globe are in need due to disaster, the United States always lends a hand. Right now, the Philippines are in need.

I urge Members of Congress and all members of this United States of America to continue opening their hearts to provide critical support to the recovery efforts.

OBAMACARE

(Mrs. BLACK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACK. Madam Speaker, Greg, a constituent from Fairfield Glade in my district, is one of tens of thousands across our State who has received one of these, a letter canceling their insurance policy.

Greg wrote to me that he "operates a small painting business and was very happy with the Cover Tennessee program for small businesses and their employees. This program is being canceled effective January 2014 because it does not meet the minimum requirements of ObamaCare. This directly contradicts the promise made by President Obama that we could keep our existing programs," he says.

Madam Speaker, just yesterday, it was reported that only 992 Tennesseans—yes, less than 1,000 Tennesseans—have selected new coverage through the ObamaCare exchanges. Yet at least 94,000—yes, 94,000—across our State have lost their coverage.

The President must honor his promise to the American people and work with Congress to protect Americans like Greg.

THE AMERICAN WORK OPPORTUNITY ACT

(Ms. KELLY of Illinois asked and was given permission to address the House for 1 minute.)

Ms. KELLY of Illinois. Madam Speaker, last week I met with businesses from around my district as part of my economic development tour.

I visited Sip & Savor, a minority-owned coffee shop in Hyde Park, where people go for great coffee and conversation.

I met with Landauer in Glenwood, ranked 63rd on the Forbes list of Best Small Businesses in America. They are keeping our troops safe by investing in technologies that protect them from the harmful effects of radiation.

I spoke with workers at Nucor Steel in Kankakee, who are helping lead the manufacturing renaissance in the United States.

These businesses take pride in the work they do, but they need a Congress that is willing to work just as hard for them. We need folks on both sides who will reduce the barriers to business growth and who will support the small businesses that create 65 percent of the new jobs in our economy.

I recently introduced H.R. 3328, the American Work Opportunity Act, which extends the work opportunity tax credit for businesses that put Americans back to work. I urge my colleagues to support this bill and to work together to pass a comprehensive jobs bill.

HAPPY BIRTHDAY, KADEN

(Mr. HULTGREN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HULTGREN. Madam Speaker, this past weekend we remembered the brave men and women who have sacrificed so much for this Nation. In many cases, their families join in that sacrifice, forced to be apart for birthdays and other family celebrations while their loved ones serve overseas.

I am so grateful for these defenders of freedom who make the tough commitment to be away from their families so they can protect us abroad so we can enjoy peace at home. As these military families make sacrifices, we remember our own families who benefit from their service.

I want to wish my incredible son, Kaden, a happy birthday as he turns 12 today. Your mom and I are so blessed

by having you in our family, and we are looking forward to the great future God has planned for you.

I am so glad that we will be able to see each other this weekend and celebrate, when many other fathers and mothers abroad have to wait months to celebrate with their own kids.

Birthdays and holidays give us another chance to pause and remember them this year. Thank you, veterans.

And happy birthday, Kaden.

BLACKOUT RULES ARE UNFAIR

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Madam Speaker, earlier this month, the Federal Communications Commission chair put forth a proposal to end government support for sports blackouts. This is a welcome step in the fight to end blackouts once and for all.

In my home community of western New York, there is a threat of a blackout for the next two home games. This means that, despite overwhelming community support, money spent on merchandise, and tax dollars being spent for stadium improvements, Buffalo fans will not be able to see their NFL team on television.

On Tuesday I introduced the Furthering Access and Networks for Sports, or FANS, Act, which would eliminate these harmful blackouts once and for all. Senators BLUMENTHAL and MCCAIN introduced identical legislation in the Senate.

Madam Speaker, blackout rules are unfair, outdated, and alienate fans. I will continue to fight until sports teams do the right thing for their fans.

PRESIDENT OBAMA'S BROKEN PROMISE

(Mr. GOSAR asked and was given permission to address the House for 1 minute.)

Mr. GOSAR. Madam Speaker, I rise today to shed light on the President's broken health care promise. The President promised over and over again that Americans who like their health care plans could keep them, but that is just not true.

Here is what Wendy from my district wrote me:

My BlueCross BlueShield policy will be canceled due to ObamaCare starting March 1, 2014. I checked out other policy options under ObamaCare and the least expensive qualifying plan was an additional \$208.44 per month. This is with a higher deductible, larger out-of-pocket expense, and only three doctor visits per year per person. This is outrageous. Additionally, this rate only includes me and my three children, not even my husband. I guess we can't even keep a family together under ObamaCare.

As Wendy's story exemplifies, and as we predicted since 2010, ObamaCare is fundamentally flawed in concept and execution. Dictated government health care cannot beat free-market choices.

And as a health care professional, I will continue to do all that I can to protect the American people from ObamaCare.

VETERANS TOUR

(Mrs. BUSTOS asked and was given permission to address the House for 1 minute.)

Mrs. BUSTOS. Madam Speaker, I rise today to talk about the recent veterans tour I conducted across my region of Illinois.

Last week I traveled to all corners of my district to meet with local veterans and listen to their priorities and to their concerns. I held listening roundtables with veterans to talk about ways we can cut down on the shameful backlog of VA claims, to make sure that veterans have access to good-paying jobs, to education, and to job training programs, and to put an end to veterans' homelessness.

I also worked a shift at the Sterling, Illinois, VA Clinic, where I shadowed nurses and saw firsthand new technology that help veterans have access to treatment closer to home.

And, finally, I interviewed Leland Chandler for the Library of Congress Veterans History Project. Mr. Chandler is a World War II veteran from Galesburg, Illinois, who was a prisoner of war in the Pacific Theater. He received many awards and decorations for his brave service to our Nation. He is a true American hero, and I am honored to share his story with the public.

During my time in Congress, I have made veterans my top priority, and I will continue to fight to protect the benefits that they have worked so hard to achieve.

□ 1215

AMERICANS LOSING THEIR HEALTH INSURANCE

(Mrs. McMORRIS RODGERS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. McMORRIS RODGERS. Madam Speaker, today I want to talk about Debbie Brown, who is from Garfield County in Washington State. She has a daughter and two grandchildren and is 53 years old. She works at the local gas station to help support her family. A few weeks ago, she was one of many who were told that, as of December 31, 2013, her health insurance plan would no longer be available. She has looked at other plans and hasn't found one that is affordable, so she is uninsured now.

Unfortunately, her story is too common; and it is repeated all across this country, heartbreaking stories of everyday, average, hardworking Americans losing their health insurance. We can do better. Too many Americans are receiving cancellation notices; too many Americans are losing their doctors; and too many Americans don't have affordable health insurance because of the Affordable Care Act.

Madam Speaker, 3.5 million Americans have seen their plans canceled, almost 300,000 in Washington State alone. President Obama promised the American people, if you liked your health care plan, you could keep it—not, if he liked your plan, you could keep it.

Let's support the legislation tomorrow.

SEXUAL ORIENTATION AND GENDER IDENTITY EMPLOYMENT PROTECTIONS

(Mr. KILMER asked and was given permission to address the House for 1 minute.)

Mr. KILMER. Madam Speaker, today I rise to call on the House to pass the Employment Nondiscrimination Act, which passed the Senate with bipartisan support. It is a bill with a simple premise: that people should be hired, fired, and assessed based on their capabilities and job performance, not on prejudice. It would take the common-sense step of extending Federal employment nondiscrimination protections to include sexual orientation and gender identity.

I spent a decade working in economic development, and the research by Richard Florida and others is pretty clear. One of the prime drivers of economic growth is tolerance, and yet, in 29 States, it is legal to fire an employee because of sexual orientation. The rights granted in my State shouldn't end at our borders.

Failure to act on this doesn't make economic sense; it doesn't make legislative sense; and it doesn't make moral sense.

But I am not here just as an economic developer. I am here as someone whose faith dictates that I love and respect all people and live by the Golden Rule, and I am here as a dad of two little girls. I want my daughters to grow up in a country where discrimination is a thing of the past, where folks can't be treated differently because of their gender or who they love. It is time to pass ENDA.

NUCLEAR NEGOTIATIONS WITH IRAN

(Mr. HOLDING asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOLDING. Madam Speaker, President Rouhani of Iran is doing exactly what he was put in power to do: get the Obama administration to weaken international economic sanctions.

Our sanctions, Madam Speaker, are working. Unfortunately, Secretary Kerry and this administration have been chasing an agreement with Iran that relaxes sanctions and allows Iran to continue enriching material and developing their heavy-water reactor. This is an outcome that the regime in Tehran desires, and they won't have to make any concessions to get it.

Madam Speaker, the tentative deal does nothing to address Iran's sponsorship of terrorist organizations, like Hezbollah, nor does it deal with their overt persecution of religious minorities in Iran or their vast human rights abuses. As Prime Minister Netanyahu stated, "This is a very, very bad deal."

The administration needs to stop negotiating bad deals and cease their efforts to block a new round of sanctions.

TRIBUTE TO LEONEL J. CASTILLO: EDUCATOR, CIVIL RIGHTS ACTIVIST, AND HOUSTON'S FIRST HISPANIC ELECTED

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Madam Speaker, over this last weekend, we celebrated the life of Leonel J. Castillo: educator, civil rights activist, and Houston's first Hispanic elected official, but—a truly—wonderful and deserving and outstanding American.

I rise today to pay tribute to Leonel J. Castillo, a legendary pioneer figure in the history of Houston and, as I said, the first Hispanic elected to public office in Houston. He died on November 4, 2013.

But this weekend, we had a chance to be with his family and to celebrate his life, to name a neighborhood center after him, to hear the testimonies regarding his passion and his love of bringing people together, and to hear about his love for his family.

He was inspired by President John F. Kennedy and joined the Peace Corps, where he met his wonderful, beautiful wife, Evelyn, and had two children: a daughter, Avalyn, and a son, Efrem. He met his wife in the Philippines. And we know today that we are praying for all of them in the Philippines.

Leonel, of course, in 1967, moved his family back to Houston. We are so delighted. He served as the director of SER-Jobs for Progress. In 1971, he was elected comptroller of the city of Houston. When nominated for INS Commissioner President Carter said:

"He is a man who has the highest possible reputation. He is a public administrator, and I think I can tell you that he is going to take on one of the most difficult jobs in government."

Mr. Castillo, a great American succeeded in that job and all that he did.

We thank you, Leonel Castillo, as you served the United States Government and all of America well. May you rest in peace.

KEEP YOUR HEALTH PLAN

(Mr. JOYCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOYCE. Madam Speaker, despite promises that, if you liked your current health plan, you could keep it, millions of Americans have already received cancellation notices regarding

current coverage. No matter how you feel about the Affordable Care Act, Ohioans that like their health care coverage should be able to keep it.

I have received countless emails and letters from Ohioans losing their coverage or being forced to pay more. One Ohioan who reached out to me because he was concerned about how higher costs could affect his family was Karl from Newbury, Ohio. Karl and his wife have six kids, recently bought a house, and stay busy because, not only is Karl a full-time employee, he is a full-time student.

Karl and his wife recently received a notice that their family would have to pay 30 to 40 percent more for their health care coverage next year. Now Karl and his wife are worried because they won't be able to afford the mortgage on their new home because of the increased health care costs.

Madam Speaker, Ohioans shouldn't be forced to pay more for health care because of a law coming out of Washington. That is why, this week, the House will vote for the Keep Your Health Plan Act, which will allow plans available on the individual market today to continue to be offered next year. It is a commonsense bill that will protect Americans from losing or paying more for their coverage, and I urge my colleagues to support it.

HEALTH INSURANCE OPTIONS

(Mr. BARROW of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARROW of Georgia. Madam Speaker, when the Affordable Care Act was first enacted, the American people were promised that, if they liked their coverage, they could keep it. Despite those assurances, millions of Americans who are happy with their insurance coverage are finding out they won't get to keep their coverage.

I am proud to cosponsor legislation, offered by my Republican colleague from Michigan, committee Chairman FRED UPTON, that gives the folks in my district in Georgia the opportunity to keep their current health insurance plan. I hope we will pass that legislation this week.

Many Americans don't feel well served by the limited health insurance options available in the exchanges, and people resent being misled by their elected officials about their options. It is important for us to give the American people the option to choose which plans work best for them, and this bill will help.

KEEP THE PLAN YOU LIKE

(Mr. MEEHAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MEEHAN. Madam Speaker, I rise today on behalf of the thousands of Pennsylvanians from my district who

are going to lose their health care coverage because of the rules and regulations of ObamaCare. I invited a number of them into my office, and their stories were both revealing and heart-breaking.

A small business woman from Newtown Square shared her story of shopping for a new plan after her policy was canceled. She must now pay more each month for a plan she doesn't like and coverage she does not want. Yet another is losing her doctor after more than 20 years because she was forced to switch insurance companies. Her long-term doctor isn't covered under the new, more expensive plan. And one constituent received this letter from her insurance company, informing her that she would have to pay as much as \$3,500 more. It has higher deductibles and higher copays.

Madam Speaker, Americans are already struggling in this economy. Tomorrow the House will vote to ensure that the families that like their plans can keep them. President Obama and Senate Democrats should keep their promise to the American people and do the same.

THE BORDER PATROL PAY REFORM ACT

(Mr. O'ROURKE asked and was given permission to address the House for 1 minute.)

Mr. O'ROURKE. Madam Speaker, I have the honor of representing more than 2,500 Border Patrol agents in El Paso, Texas. They are a big reason why our border with Mexico is as secure as it has ever been, and they help keep El Paso the safest city in the United States; it was this year, the year before, and the year before that.

Now, despite their successful track record, their vigilance at our borders with Mexico and Canada, and the tough conditions under which they work, they are working with an antiquated, unfair, and inflexible pay system. That is why I am happy to work across the aisle with the gentleman from Utah, Representative CHAFFETZ, to introduce H.R. 3463, the Border Patrol Pay Reform Act. This provides a fair, flexible, and fiscally responsible way to compensate our Border Patrol agents. It allows management to deploy resources where they are most needed; it gives our agents some predictability in their work schedule; and it saves the American taxpayer over \$1 billion over the next 10 years.

During a time of sequester and tight budgets, we need to use existing resources as judiciously as we can. I think this bill accomplishes that while supporting our Border Patrol agents. I urge my colleagues to join me in supporting this bill.

CANCELED HEALTH INSURANCE PLANS

(Mr. ROGERS of Alabama asked and was given permission to address the

House for 1 minute and to revise and extend his remarks.)

Mr. ROGERS of Alabama. Madam Speaker, America is over 6 weeks into the ObamaCare rollout, and things are just a mess. Folks are still having problems signing up. But even more painful are the letters people are receiving, canceling their health insurance plans. Families and individuals are being forced into different and, oftentimes, more expensive plans.

Recently, I asked folks to let me know how their premiums were being affected. One person contacted me that their premiums went up \$200 a month. Another family contacted me that their policy was canceled, and their premium is going up \$740 per month.

The President promised, from the beginning, if you like your health care plan, you will be able to keep your health care plan, period. But that has turned out not to be the case, and he knew it all along.

ObamaCare has many flaws, but forcing people off their plans when they were promised they could keep them is really starting to hit home now. That is why I strongly support H.R. 3350, the Keep Your Health Plan Act. The legislation would allow health care plans on the individual market to remain available so people could have the option to keep their current health insurance if they want to.

I still believe the best path forward is to get rid of ObamaCare, but for now, we should support this bill to help hardworking Americans keep their health insurance.

SUPER TYPHOON HAIYAN

(Ms. SPEIER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SPEIER. Madam Speaker, I rise today to extend my condolences to the thousands of families both in the Philippines and here in the United States who have lost loved ones due to Super Typhoon Haiyan, the deadliest natural disaster in the history of this region.

I proudly represent the largest population of Filipino Americans in the continental United States, and many of them are in anguish right now wanting to know whether or not their loved ones are still alive. The question that some may ask is, Well, why should we help?

Well, there are the obvious humanitarian reasons, but more importantly, we must never forget that in World War II, President Roosevelt sought to have Filipinos take arms and fight for us—some 250,000 of them—during World War II. We must help.

We have sent the USS *George Washington*, which has arrived today. Seven other ships are on their way. There are C-130s and Ospreys that have also been put in operation.

The gentleman from California, Congressman HONDA, and I have introduced a resolution, and I hope the House will

take it up swiftly, seeking support for the Filipino people and providing the aid they need.

□ 1230

THE PRESIDENT'S HEALTH CARE LAW

(Mr. BENISHEK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BENISHEK. Madam Speaker, I am holding a copy of a letter that one of my constituents received informing him that his current health care plan—a plan that he was satisfied with and that he was able to afford—is being canceled, thanks to regulations imposed by the President's health care law.

Thousands of letters like this one have gone out to hardworking citizens in northern Michigan.

I asked my constituents to reach out to me about their experiences so I could hear firsthand about the impact of this disastrous overhaul. I received over 200 responses in a matter of days.

Patrick from Cheboygan will see his annual health insurance bill rise by over \$6,000 on January 1, 2014. Russell from Amasa was finally able to log onto the President's Web site after 14 straight days of trying, only to discover that the closest equivalent option for his plan will be far too expensive for him to afford.

I ask all of my colleagues to join me in order to repeal this disastrous health care law and work together in order to promote affordable, patient-centered reforms.

SAFE CLIMATE CAUCUS

(Mr. HUFFMAN asked and was given permission to address the House for 1 minute.)

Mr. HUFFMAN. Madam Speaker, I rise today to once again speak about the issue of climate change that is affecting every country, but as the World Bank has found, the impacts are not distributed equally. It is likely that the poorest nations on Earth will be the hardest hit.

The U.N. ranks the Philippines as the country that is third most vulnerable to the effects of climate change because of its geography, its poverty, and the state of its infrastructure.

As all of my colleagues know, one of the most powerful storms on record tore through Asia this past week—and the Philippines in particular. In the wake of Typhoon Haiyan, many thousands are dead and hundreds of thousands more are homeless and desperate for help.

As we learn more about the devastation, I ask my colleagues to pay careful attention to the words of Yeb Sano, head of the Philippines delegation to the U.N. climate talks:

What my country is going through as a result of this extreme climate event is mad-

ness . . . Typhoons such as Haiyan and its impacts represent a sobering reminder to the international community that we cannot afford to procrastinate on climate action.

He is right.

The Philippines tragedy is the latest wake-up call on climate change. So let's wake up.

OBAMACARE CANCELATIONS

(Mr. COBLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COBLE. Madam Speaker, how many times did we hear the President promise the American people that if they liked their health care plan, they could keep their health care plan?

It doesn't matter how many times, Madam Speaker, you say something if it simply isn't true.

The fact is that Americans all across this country are getting letters from their insurance companies telling them their plans have been canceled. These are moms, dads, students, seniors, people who work diligently and who should be able to count on their health insurance when they need it.

What does ObamaCare offer them? Maybe they lose their plan altogether. Maybe their rates are going up. Maybe they can't visit the doctors and hospitals they have been using for years.

Madam Speaker, this has happened.

I urge victims to speak out. Go to the House Republican Web site at gop.gov and share your story.

VALLEY'S FIRST HONOR FLIGHT

(Mr. COSTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTA. Mr. Speaker, I rise today to speak on behalf of our valley's first Honor Flight.

Recently, my colleagues, Representatives VALADAO and NUNES, and I honored the service of San Joaquin Valley veterans—as Tom Brokaw noted, perhaps America's Greatest Generation. These 69 men took off from Fresno and landed here in our Nation's Capital to see the monuments to their service to our country, most of them for the first time. In their youth, these men bravely but humbly answered their Nation's call.

Decades later, our first San Joaquin Valley Honor Flight came to Washington, where they witnessed the changing of the guard and remembered those of their fellow soldiers who did not make it home.

I also want to thank Congressmen HALL and DINGELL, who shared stories with them.

This forever grateful Nation is better for the men's sacrifices and the lives they led when they returned home to their farms, their storefronts, and their practices throughout the Valley to build a better life for themselves and our Nation.

I want to thank you for allowing us to share their experience and to show our gratitude for a debt which we can never fully repay.

FOR RUTHANN: PASS THE KEEP YOUR HEALTH PLAN ACT

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, the promises upon which ObamaCare was built are crumbling.

Ruthann from Hickory, North Carolina, is a healthy 61-year-old. Last month, she received this letter from her insurance provider:

Dear Ruthann,

Due to Affordable Care Act regulations, your current . . . medical plan will no longer be offered for 2014 . . . The monthly premium for your new plan will be \$738.05.

Ruthann is right to be frustrated by this news.

Today, she pays \$396 each month for a plan with a lower deductible that covers the services she needs. Paying \$350 more each month is out of the question for Ruthann and her family.

Her next best option under ObamaCare is to pay \$510 a month for a higher deductible plan that will force her to pay out of pocket for some of the basic tests and procedures her current insurance provides.

Ruthann says:

In effect, I am now relegated to a policy that will only be helpful in case of a catastrophic illness resulting in hospitalization.

How is that anything resembling "affordable care?"

AID TO THE PHILIPPINES

(Ms. MENG asked and was given permission to address the House for 1 minute.)

Ms. MENG. Mr. Speaker, I rise today to reaffirm the solidarity between the United States and the Philippines at this tragic time.

As the people of the Philippines rebuild their infrastructure, aid their injured, and mourn their deceased, the U.S. must remain a beacon of international humanitarian leadership.

Since the landfall of Typhoon Haiyan on November 8, 2103, the United States Government has provided over \$20 million in immediate humanitarian assistance, shipping vital necessities like shelter, water, hygiene kits, plastic sheeting, and over 55 metric tons of emergency food provisions to Tacloban City and other devastated regions.

This aid is desperately needed. The typhoon has impacted 8 million Filipinos and taken the lives of nearly 3,400 people—a number expected to rise.

The tragedy has also touched the 17,000 people of Filipino heritage living in my district in Queens, New York. To them, I offer unwavering support and an unflinching resolve to do everything possible to help those affected overseas.

GET GOVERNMENT OUT OF THE WAY AND PUT AMERICANS BACK TO WORK

(Mr. YODER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YODER. Madam Speaker, Americans want Congress to support policies that help put our Nation back to work. Creating jobs is the key to improving our economy.

However, too often, government stands in the way of job creation by imposing costly regulations on businesses and municipalities, creating uncertainty and hindering job growth.

I recently visited a wastewater treatment facility in my district. While there, I learned that new EPA mandates, specifically on wet weather wastewater treatment, will increase costs on Johnson County, Kansas, ratepayers by 25 percent.

New EPA regulations on an energy plant in Kansas City, Kansas, will force the board of public utilities to make modifications—\$250 million in costs—resulting in a 15 to 20 percent monthly increase in the average electric bill to consumers, families, and businesses in Wyandotte County, who are already feeling the crunch of hard economic times.

These regulations are essentially hidden taxes on Kansas families, many of whom are already pinching pennies to pay their bills.

Madam Speaker, regulations do not create jobs. Let's get government out of the way and let's put Americans back to work.

HONORING COUNCILWOMAN MAXINE HERRING PARKER

(Ms. SEWELL of Alabama asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SEWELL of Alabama. Madam Speaker, I rise today to pay tribute and honor to the life and legacy of Birmingham City Council President Maxine Herring Parker, who passed away suddenly on Tuesday, November 12, 2013.

Councilwoman Parker was the epitome of grace, class, and firm yet gentle leadership. With her signature flower lapels to accentuate her immaculate appearance, this soft-spoken leader personified womanhood while serving as a great source of strength for her family and community.

Her love of family was second only to her love of her constituents in Birmingham City Council District 4. Through her 8-year tenure on the city council in Birmingham, Alabama, Councilwoman Parker was best known for her advocacy for environmental justice on behalf of her constituents in north Birmingham. In 2011, as a result of her tireless advocacy, the Environmental Protection Agency began its first major intervention in the area.

Today, that environmental cleanup still exists.

On behalf of our Nation, the State of Alabama, and the city of Birmingham, I am honored to pay tribute to the life and legacy of this phenomenal woman. She was indeed one of the most passionate community servants of her time. Let us all commit to continuing Councilwoman Parker's legacy of passion and concern for others.

I ask my colleagues to join me in honoring the life and legacy of Birmingham City Council President Maxine Herring Parker.

AID TO THE PHILIPPINES

(Mr. AL GREEN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. AL GREEN of Texas. Madam Speaker, I am continuing the mission of mercy that started right after the typhoon hit the Philippines.

Madam Speaker, I am here to express my gratitude to the President of the United States of America. I just heard him speak of how the United States would do all that it can to help the people of the Philippines.

I am also grateful to the members of my community. We have approximately 40,000 persons of Filipino ancestry living in the Houston area. A good many of them are persons that I represent. I am honored to tell you that they are working tirelessly to do all that they can to help their brothers and sisters in the Philippines.

These are difficult times, but I am honored to say it is my belief that, with our help, we will be able to help the people of the Philippines get through this tragic circumstance.

There are two resolutions. H. Res. 404 is sponsored by Members ENGEL and ROYCE, ranking member and chair of the Foreign Affairs Committee. H. Res. 408 is sponsored by Members SPEIER and HONDA. I want to compliment them for what they have done.

IN SUPPORT OF THE AFFORDABLE CARE ACT

(Mr. JOHNSON of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of Georgia. Madam Speaker, I rise in continued support of the Affordable Care Act and the promise of high quality, affordable health care for all.

Republicans and right-wing media are obsessed with problems about healthcare.gov. This law is more than just a Web site. It is affordable, quality health insurance for everyone. The majority of Americans who purchase their insurance purchase it outside of the individual market plan. Those individuals who purchase through their employers' offerings will suffer a price increase if the Upton legislation, which will be coming before us shortly,

passes. It is just a means to sabotage the Affordable Care Act, and I will not be in support of it.

There are over 100,000 people who have now been able to obtain insurance under the Affordable Care Act. It is working. We need to work to improve it. I stand ready to do so.

□ 1245

MOTION TO INSTRUCT CONFEREES ON H.R. 3080, WATER RESOURCES DEVELOPMENT ACT OF 2013

Mr. SHUSTER. Madam Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3080) to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes, with the Senate amendment thereto, disagree to the Senate amendment, and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

A motion to reconsider was laid on the table.

Mr. SEAN PATRICK MALONEY of New York. Madam Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Sean Patrick Maloney of New York moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 3080 be instructed to recede from disagreement with the provisions contained in title IX of the Senate amendment (relating to reducing the risks to life and property from dam failure in the United States through reauthorization of an effective dam safety program).

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from New York (Mr. SEAN PATRICK MALONEY) and the gentleman from Pennsylvania (Mr. SHUSTER) each will control 30 minutes.

The Chair recognizes the gentleman from New York.

Mr. SEAN PATRICK MALONEY of New York. Madam Speaker, I yield myself such time as I may consume.

Since joining the Congress, I have been working across the aisle on a piece of critical legislation, the Dam Safety Act, which gives communities all across America the support they need to ensure that dams have the highest safety standards possible.

Many of these provisions were included in the bipartisan Water Resources Reform and Development Act, known as WRRDA, which overwhelmingly passed the House just a few weeks ago by a 417-3 vote margin.

I certainly want to thank Chairman SHUSTER, Ranking Member RAHALL, and subcommittee Ranking Member BISHOP for their leadership on WRRDA and for working closely with me on this important issue.

With major storms like Irene, Hurricane Sandy and Tropical Storm Lee becoming more and more frequent, I believe Congress needs to place a higher priority on strengthening our infrastructure, particularly on our oldest and often most vulnerable infrastructure—our dams. Should our dam infrastructure fail in the midst of these storms, the effects could be far more catastrophic and immediate than most other components of our States' infrastructure, endangering people's lives, their property and their livelihoods.

Our country has over 87,000 dams, and approximately 10,000 of these dams are what are known as "high-hazard dams." There are dams in virtually every congressional district and community across the country. The failure of any of these high-hazard dams would cause widespread damage and loss of life and, of course, major economic disruption; and approximately 40 percent of these high-hazard dams do not have an emergency action plan. I would like to say that again: more than 40 percent of our most important dams—the high-hazard dams—the failure of which could cause the loss of life or major property damage, do not have an emergency action plan. We live in a world now in which we have these extreme weather events, and you don't want to find out the dam is going to fail when you have a superstorm.

The Hudson Valley—the communities I represent—is home to over 800 dams, and nearly 100 of those dams are known as high-hazard dams, the failure of which could pose a serious risk to the economy and well-being of these communities and families. Unfortunately, during Hurricane Irene, many folks were impacted because of a dam failure. Many of my neighbors in Tuxedo's East Village were devastated when the Echo Lake Dam released an estimated 100 million gallons of water. Some people in Tuxedo reported seeing an 8-foot wall of water rushing towards the town, causing catastrophic damage to the infrastructure and costing millions of dollars in property damage.

For folks like John and Lisa Petriello, who live in the East Village, the failure of this dam flooded their home, cracked their foundation, and ripped the deck off their home. For Gary Phelps, it meant more than \$125,000 in property damage. Then for businesses such as SOS Fuels, it meant their headquarters were condemned. In mere minutes, the flood carried away cars and appliances. Folks lost their furniture, their valuables, and their homes.

From 2005 to 2009, 132 dams failed. So it is critical that every single community across the country be prepared and be protected, and they can be with this program.

This important motion will make the final version of the Dam Safety program even better by authorizing the Dam Safety program at \$9.2 million per year over the next 5 years. This is \$9.2 million which could, itself, be less than

the cost of a single dam failure; yet we know that in just a 5-year period 132 dams failed. The National Dam Safety Program provides vital support to assist States like mine, New York, in developing emergency action plans, in implementing existing dam safety programs, in assisting with the purchase of equipment, and in conducting dam inspections.

For the first time, the Senate provision would provide public awareness and outreach funding, an essential step to ensuring that all citizens understand the need to prepare for, to mitigate for, to respond to, and to recover from dam incidents and failures. It is far past time to start paying attention to a program that can make a real difference in people's lives, especially a program that has been passed on a bipartisan basis since 1974.

Madam Speaker, I reserve the balance of my time.

Mr. SHUSTER. Madam Speaker, I yield myself such time as I may consume.

The committee supports the National Dam Safety Program. In fact, I commend the gentleman from New York in his freshman term to be working on the Dam Act because, as a freshman several years ago—12 years ago—my first piece of legislation that I authored was the dam bill.

Again, this is a critical program. It saves lives, it protects communities, and that is why we included language in H.R. 3080—to improve the Dam Safety program. There are minor differences between the House and the Senate language. We look forward to working on reconciling those differences as the legislation moves forward; and while we expect we will continue to have some negotiations with the Senate on this issue, I am not opposed to the motion to instruct on this provision.

With that, I reserve the balance of my time.

Mr. SEAN PATRICK MALONEY of New York. Madam Speaker, at this time, I yield such time as he may consume to the gentleman from West Virginia (Mr. RAHALL), my friend, the distinguished ranking member of the committee.

Mr. RAHALL. I commend the gentleman from New York (Mr. MALONEY) for offering this motion to instruct and for his leadership on this most vital issue for the safety of the American people. I also want to commend the full committee chairman, Mr. SHUSTER, the ranking member of our subcommittee, Mr. BISHOP, and the subcommittee chairman, Mr. GIBBS, for their tremendous work on the underlying bill and for getting this to the point at which we are today.

Madam Speaker, I am in strong support of the motion to instruct. This motion directs the conferees to recede to the Senate provision that includes the Dam Safety Act of 2013, which reauthorizes the Dam Safety program at reasonable levels.

The Dam Safety program is about protecting lives. It is a critical program that provides much-needed education, training, and assistance to State dam safety officials. Dams protect our people, our homes, and our businesses from flooding. They provide essential drinking water, power to homes and businesses, critical irrigation for our Nation's food supply, and recreational opportunities for our citizens. West Virginians understand the importance of dams, the role they play in our daily lives, and the critical need to keep them safe.

In 1972, a dam failure occurred at Buffalo Creek, West Virginia, claiming 125 lives and injuring 1,000 more, destroying over 500 homes and causing more than \$400 million in property damage. While this incident occurred more than 40 years ago, West Virginians still remember the devastation caused by the dam failure and continue to mourn that loss of life. Out of this tragedy, Congress passed and created the National Inventory of Dams, which led to the National Dam Safety Program that this motion urges us to reauthorize today.

Today, West Virginia has more than 600 dams included in the Army Corps of Engineers' National Inventory of Dams. Two-thirds of these dams are considered high-hazard dams, meaning that dam failure would result in loss of life and do serious damage to homes, businesses, public utilities, or highways. Moreover, 110 of these high-hazard dams do not have an emergency action plan, putting the lives of West Virginia citizens at greater risk. This motion to instruct will ensure that the program and investment are in place to help States and other dam owners inspect their dams and develop the emergency action plans that are necessary to ensure the continued safety of our citizens.

Across the country, almost one-third of the Nation's 87,000 dams pose a high or a significant hazard to life and property if failure occurs, and these dams consistently receive failing grades from the American Society of Civil Engineers. This year is no different. The 2013 Engineers report card gives our dams a "D." Let me repeat that—a "D." Madam Speaker, it is critical that Congress reauthorize the National Dam Safety Program and ensure the safety of our citizens.

I, again, commend the gentleman from New York, SEAN PATRICK MALONEY, and I urge my colleagues to join him in supporting the motion to instruct conferees on H.R. 3080.

Mr. SHUSTER. Madam Speaker, I continue to reserve the balance of my time.

Mr. SEAN PATRICK MALONEY of New York. At this time, Madam Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. GALLEG0), my friend.

Mr. GALLEG0. Madam Speaker, I rise in support of Mr. MALONEY's motion and to underscore the importance of the safety of dams.

I would like to talk for a moment about a small town in which I grew up in west Texas. I heard often the story of a fateful night in Sanderson, Texas, in June of 1965 after heavy rains caused a 15-foot wall of water to come rolling through Sanderson Canyon. The water came down with such force that it turned bridges and buildings into torpedoes. The two cemeteries lost burial markers, and caskets were washed out. Families lost homes. Many lost everything. There were 28 people in Sanderson, Texas, who died, and two were never recovered. Since that flood in 1965, 11 dams have been built, which in unison have acted as a flood control system for Sanderson Canyon.

We don't want any more Sanderson flood-type experiences. El Paso, Presidio, and Del Rio all have experiences with water rushing through canyons and, in coming through, causing damage. The only things that have saved life and property have been these dams that have been in existence now for some time.

As the ranking member mentioned earlier, those dams are incredibly important. They are incredibly important in saving property, and they are incredibly important in saving lives. Significantly, across the country, nearly half of these dams are more than 50 years old. It is incredibly important that they be maintained and maintained well.

In Del Rio, the Amistad Dam holds water from the Rio Grande, the Pecos River, and the Devils River. Imagine the importance of that dam. While that dam is maintained by a binational commission, there are many other dams in that region and in that area that serve not only to save water for agricultural purposes but for many other purposes as well. In fact, even in San Antonio, the world-famous River Walk is controlled by a series of small dams; and when it rains there, as it has recently, those dams have become incredibly, incredibly important.

In the Sanderson example that I gave earlier, households, up until recently, have been spending \$700 a year on flood insurance annually even if there hasn't been a flood in 4½ decades. We can save a lot of people a lot of money if we just make sure that these dams are built well, that they are maintained well, and that they serve their functions not only now but in the foreseeable future.

So, with that, Madam Speaker, I again thank Mr. MALONEY for bringing this issue to the attention of the membership of the Congress, and I rise in support of his motion to instruct.

Mr. SHUSTER. Madam Speaker, I continue to reserve the balance of my time.

Mr. SEAN PATRICK MALONEY of New York. Madam Speaker, in my opening remarks, I also should have mentioned the chair of the subcommittee, Mr. GIBBS. I would like to thank him in addition to the chairman and my ranking member of the subcommittee, Mr. BISHOP, for the excellent work they have done on this.

With that, I yield such time as he may consume to the gentleman from Minnesota (Mr. NOLAN), my colleague.

(Mr. NOLAN asked and was given permission to revise and extend his remarks.)

Mr. NOLAN. Madam Speaker and Members of the House, I rise in support of the motion to recommit.

I would like to also commend Chairman SHUSTER, Ranking Member RAHALL and, in particular, my colleague SEAN PATRICK MALONEY for bringing this important issue to the attention of the House and, Mr. MALONEY, for your motion to instruct.

□ 1300

We clearly have 14,000 dams throughout the country that have been designated as high hazards. That is a well known fact. Another fact is that there are 20,000 dams that are over a half a century old. These facts underscore the neglect, as well as the profound need, to put forth better inspection plans and to invest more in the rebuilding of our dams and our infrastructure.

Quite frankly what the whole WRRDA bill is really all about is not just investing in our dams, but investing in our roads, our bridges, our ports, our rivers, our lakes, our health, our safety, our tourism, and our economy. In some respects, that is what has laid the foundation for the great economic success and prosperity that we enjoy here in this country. We have neglected it, and this is an important and profound motion to address the dam issue, if you will pardon the expression in that manner.

This whole bill is important for us to embrace. I commend the members of the committee for putting this together. I hope that we will all join and continue through this House in the way that we did in committee, in a bipartisan manner, to recognize the profound need that we have here and start reinvesting in America. It will create jobs. It will increase our prosperity. It will help reduce the deficit in our budgets. It will have so many profound and positive rippling effects throughout our country and throughout our economy.

It is with great pleasure that I have the opportunity to stand here and embrace this and urge my support for the motion to recommit, and perhaps even more importantly, the importance of passing the WRRDA legislation.

Mr. SHUSTER. Madam Speaker, I continue to reserve the balance of my time.

Mr. SEAN PATRICK MALONEY of New York. Madam Speaker, I would like to forgive the gentleman from Minnesota for his vulgarity on the House floor. It is hard not to curse when mentioning the title of this motion. It is also hard not to curse when you realize that only 60 percent of the high hazard dams have an emergency action plan. That is one of the reasons why this bill is so important.

I yield as much time as he may consume to the gentleman from Tennessee (Mr. COHEN), my friend.

Mr. COHEN. Madam Speaker, I want to thank Mr. MALONEY for his work and Mr. SHUSTER for his work. We “dam” well better get prepared to increase our infrastructure spending, or we will have more problems in this country.

The motion to instruct conferees is well-taken and well-drafted. Our roads, rivers, railways, and runways got a D-plus on the American Society of Engineers’ 2013 report card for America’s infrastructure. That is inexcusable, a D-plus on our infrastructure. It used to be the pride of our country and one of the ways that we produced jobs and took goods to market. The fact that this score was awarded to a world superpower and a leader in technological innovation is completely unacceptable.

Passing WRRDA is an important step towards turning around our Nation’s infrastructure investment program. I was proud to work with and support our outstanding chairman, Chairman SHUSTER, and Ranking Member RAHALL when we passed the bill in both the Transportation Committee and on the House floor.

Our committee understands—I think not totally, I can’t speak for the whole committee, but in general—that earmarks aren’t a bad thing and earmarks are something that greases the wheels that make the engine of government run and work effectively and bipartisanship. We need to bring those back to make this House work together, Democrats and Republicans, so we all have something invested for our districts. That is important.

People ask about dysfunction here and people not working together. It is because everybody doesn’t have some part of the pie, something for their districts that they can be proud of. We need to get that back. People need to understand that article I says this Congress is supposed to appropriate the moneys. That is why our infrastructure has weakened. That is why we have so many projects along rivers where the Corps of Engineers don’t have adequate funding and direction to keep our rivers moving and moving commerce forward.

WRRDA doesn’t mean that just our Nation’s waterways, locks, and dams will be the subjects of targeted investments, which it needs to be. It means that thousands of people will be put to work on making the improvements necessary to improve the national infrastructure.

The effect of sequestration on our Nation’s infrastructure is real. It is time to get back on track toward smart investments that make our Nation more competitive in the global marketplace.

The Corps of Engineers has a backlog of authorized projects in excess of \$60 billion. The Corps construction account has been reduced by \$688 million since 2010. We should be doing more to build that infrastructure and create jobs, not less.

According to a study by the American Society of Civil Engineers, if we

don’t make new investments in our new water infrastructure, we will lose \$416 billion in GDP by 2020 due to increased costs and loss of work productivity. This means real loss for real American families.

Madam Speaker, I think in Turkey they are probably improving their infrastructure. We should be doing the same thing here in America, Madam Speaker. It is important we do that.

Without investment, the average American family would have to adjust their household income to account for a \$900 squeeze as a result of rising water rates and falling personal incomes. The longer we put off investment in our Nation’s infrastructure, the more that investment will cost and the more people will be out of work and the more difficult it will be for our economy to get righted.

I support this motion to instruct conferees today. I thank Mr. MALONEY and Mr. SHUSTER, and hopefully we can put America’s infrastructure investments back on the right back. But to do that in the long run, we need bipartisanship, which will involve earmarks and making the transportation bills like they used to be when Mr. SHUSTER’s father was there and like Mr. SHUSTER would like to make them. If we can just take Mr. SHUSTER and clone him, we can work together and have a greater America and more jobs and a greater country.

Mr. SHUSTER. I would like to inquire, does the gentleman have other speakers?

Mr. SEAN PATRICK MALONEY of New York. No, Mr. Chairman. I am prepared to close.

Mr. SHUSTER. Madam Speaker, again, we expect to continue to work with the Senate on this language. It is a critical program. It saves lives and protects communities. So again, we accept the motion to instruct.

With that, I yield back the balance of my time.

Mr. SEAN PATRICK MALONEY of New York. Madam Speaker, I would like to thank, again, the chairman, Mr. SHUSTER.

I yield myself such time as I may consume.

In closing, as frustrating as Washington can be for many of us who are new to the Congress, we can actually get results and make a difference by conferencing the Water Resources Reform and Development Act. We have the opportunity for the Congress to set aside petty politics and partisanship to actually get something done for the American people.

WRRDA is a critical and strategic investment in our Nation’s aging infrastructure and creates jobs, strengthens our local economies, and keeps families all across the country safe. We can make it even better by ensuring that every State and community has the resources to conduct safety inspections and to create emergency action plans. Again, there are 14,000 high hazard dams in this country, 60 percent of

which—only 60 percent of which—have an emergency action plan.

This program makes sense. Don’t take it from me. You can take it from the folks in Warwick, New York, where one of these high hazard dams exists. After experiencing nearly a foot of rain in 24 hours, many families were forced to evacuate for fear of a potential series of dam failures and catastrophic flooding. Warwick had a plan in place, though, and conducted a safe evacuation.

Dams like those in Warwick rely on the National Dam Safety Program to enhance the safety of their dams by hiring staff to conduct inspections, to purchase equipment, and to develop emergency action plans for dam safety. These plans save lives and prevent catastrophe. Investing in the National Dam Safety Program provides our communities with the resources they need to protect our families and our economy by conducting safety inspections and creating plans. Simply put, a stitch in time saves nine. Nowhere is that more true than here.

I hope we can join together in a bipartisan way to support communities all across America by passing this motion to make the final version of this bill even better.

I yield back the balance of my time.

Mr. KIND. Madam Speaker, I rise today in support of Congressman MALONEY’s Motion to Instruct Conferees to recede to the Senate on the Dam Safety Provision of the Water Resources Reform and Development Act. Dams are an integral part of our nation’s economy and provide water for agricultural and drinking purposes, flood control, navigation, and hydropower. Unfortunately, of the 87,000 dams listed on the 2013 National Inventory of Dams (NID), over 14,000 are deemed “high hazard.” This means that failure of these dams would result in the loss of life and serious damage to homes, businesses, and infrastructure. In the state of Wisconsin, there are 252 high hazard dams. Furthermore, only 60 percent of the nation’s high hazard dams have Emergency Action Plans, and over 20,000 dams nationwide were constructed prior to 1960. Aging dams add not only to construction costs but also increase the risk of failure. In fact, the American Society of Civil Engineers recently gave the nation’s dam infrastructure an unacceptable “D” grade in their annual report.

Though states are responsible for regulating about 80 percent of the nation’s dams, most states are understaffed and underfunded. The Model State Dam Safety Program has determined that 10 state regulators are necessary per 25 dams in order to carry out the regulatory mandates set in most state dam safety laws. However, in 2012, the Association of State Dam Safety Officials reported that due to lack of funding, most states only have 8 dam inspectors; this means that on average, each dam inspector is responsible for overseeing the safety of about 208 existing dams, or more than seven times the amount recommended. Wisconsin’s dam safety program has 6.25 employees that oversee an average of 152 state regulated dams, or more than five times the amount recommended by the Model State Dam Safety Program.

For the first time, this Senate provision would provide for public awareness outreach

funding, an essential step to ensure that all citizens understand the need to prepare for, mitigate for, respond to, and recover from dam incidents and failures. Investment in infrastructure is critical to the long-term economic health of our nation, and that is why I support Congressman MALONEY's efforts to authorize funding for the Dam Safety Provision of WRRDA.

The SPEAKER pro tempore. All time for debate has expired.

Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SEAN PATRICK MALONEY of New York. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

LAWSUIT ABUSE REDUCTION ACT OF 2013

Mr. GOODLATTE. Madam Speaker, pursuant to House Resolution 403, I call up the bill (H.R. 2655) to amend rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 403, the bill is considered read.

The text of the bill is as follows:

H.R. 2655

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Lawsuit Abuse Reduction Act of 2013".

SEC. 2. ATTORNEY ACCOUNTABILITY.

(a) SANCTIONS UNDER RULE 11.—Rule 11(c) of the Federal Rules of Civil Procedure is amended—

(1) in paragraph (1), by striking "may" and inserting "shall";

(2) in paragraph (2), by striking "Rule 5" and all that follows through "motion." and inserting "Rule 5."; and

(3) in paragraph (4), by striking "situated" and all that follows through the end of the paragraph and inserting "situated, and to compensate the parties that were injured by such conduct. Subject to the limitations in paragraph (5), the sanction shall consist of an order to pay to the party or parties the amount of the reasonable expenses incurred as a direct result of the violation, including reasonable attorneys' fees and costs. The court may also impose additional appropriate sanctions, such as striking the pleadings, dismissing the suit, or other directives of a nonmonetary nature, or, if warranted for effective deterrence, an order directing payment of a penalty into the court."

(b) RULE OF CONSTRUCTION.—Nothing in this Act or an amendment made by this Act shall be construed to bar or impede the assertion or development of new claims, de-

fenses, or remedies under Federal, State, or local laws, including civil rights laws, or under the Constitution of the United States.

The SPEAKER pro tempore. The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Michigan (Mr. CONYERS) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 2655, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GOODLATTE. Madam Speaker, I yield myself such time as I may consume.

H.R. 2655, the Lawsuit Abuse Reduction Act, would restore mandatory sanctions for frivolous lawsuits filed in Federal Court.

Many Americans may not realize it, but today, under what is called rule 11 of the Federal Rules of Civil Procedure, there is no requirement that those who file frivolous lawsuits pay for the unjustified legal costs they impose on their victims. As a result, the current rule 11 goes largely unenforced. When there is no guarantee of compensation, the victims of frivolous lawsuits have little incentive to spend even more money to pursue additional litigation to have the case declared frivolous.

H.R. 2655 would finally provide light at the end of the tunnel for the victims of frivolous lawsuits by requiring sanctions against those who file them, sanctions that include paying their victims the full cost of their reasonable expenses incurred as a direct result of the rule 11 violation, including attorneys' fees.

The bill also strikes the current provision in rule 11 that allows lawyers to avoid sanctions by making frivolous claims and demands by simply withdrawing them within 21 days. This change eliminates the "free pass" lawyers now have to file frivolous lawsuits in Federal Court.

To be clear, under rule 11, a lawsuit is frivolous if it is presented for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation if it is not warranted by existing law or if the factual contentions have no evidentiary support. In other words, a lawsuit will only be found frivolous if it has no basis in law or fact.

Yet the current lack of mandatory sanctions leads to the regular filing of lawsuits that are clearly baseless. For example, in just the last year, a small business owner was sued for violations of Federal regulations in a parking lot that he doesn't own or lease. A woman had her car repossessed and then filed a \$5 million Federal lawsuit for the half tank of gas she had left in the car.

□ 1315

A high school teacher sued a school district claiming it discriminated against her because she has a phobia—a fear of young children. Her case was dismissed by the Equal Employment Opportunity Commission, but that didn't prevent her from filing a Federal lawsuit.

These real yet absurd cases have real-life consequences for their victims who have to shell out thousands of dollars just to respond to frivolous pleadings, endure sleepless nights, and spend time away from their family, work, and customers. Let's not forget that the victims of frivolous lawsuits are real victims.

Do any of my colleagues on the other side of the aisle claim that judges should have the discretion to deny damage awards to victims of legal wrongs proved in court? If not, why should judges have the discretion to deny damage awards to victims of frivolous lawsuits who prove in court that the case against them was frivolous?

It is difficult to see how a vote against the bill before us today could be interpreted as anything other than a denial that victims of frivolous lawsuits are indeed real victims. But indeed they are real victims, and they deserve to be guaranteed compensation when they prove the claims against them are frivolous in court.

Let's also remember that the victims of lawsuit abuse are not just those who are actually sued. Rather, we all suffer under a system in which innocent Americans everywhere live under the constant fear of a potentially bankrupting frivolous lawsuit.

As the former chairman of The Home Depot Company has written:

An unpredictable legal system casts a shadow over every plan and investment. It is devastating for start-ups. The cost of even one ill-timed abusive lawsuit can bankrupt a growing company and cost hundreds of thousands of jobs.

The prevalence of frivolous lawsuits is reflected in the absurd warning labels companies must place on their products to limit their liability. A 5-inch brass fishing lure with three hooks is labeled, "Harmful if swallowed." A vanishing fabric marker with disappearing ink warns it should not be used as a writing instrument for signing checks or any legal documents. A label on a Scooter says, "Warning: This product moves when used." A household iron contains the warning, "Never iron clothes while they are being worn." And a cardboard sun shield that keeps sun off the dashboard warns, "Do not drive with sun shade up."

The potential for frivolous lawsuits are behind all these absurd warning labels which, while humorous in their own way, serve as a warning to us about what the world will increasingly look like if we don't make the rules more fair.

Today, absurd lawsuits can sometimes bring sanctions against those

who filed them; but even when they do, the current rules result in far too little compensation for the victims of the frivolous lawsuit.

In his 2011 State of the Union address, President Obama said:

I'm willing to look at other ideas to rein in frivolous lawsuits.

Well, I hope the President has time to read this one-page bill and lend his support to a proposal that would significantly reduce the burden of frivolous litigation on innocent Americans.

I thank the former chairman of the House Judiciary Committee, Congressman LAMAR SMITH, for introducing this simple, commonsense legislation that would do so much to prevent lawsuit abuse and restore Americans' confidence in the legal system.

I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I yield myself such time as I may consume.

I rise in opposition to H.R. 2655. I suggest that what we are doing here this afternoon will turn the clock back to a time when the Federal Rules of Civil Procedure discouraged civil rights cases, limited judicial discretion, and permitted satellite litigation to run wild. I repeat, we may turn the clock back to a time when the Federal Rules of Civil Procedure discouraged civil rights cases, limited judicial discretion, and permitted satellite litigation to run wild.

And here is how it accomplishes it, by undoing the 1993 amendments to rule 11 of the Federal Rules of Civil Procedure by: one, restricting judicial discretion; two, requiring mandatory sanctions for even unintentional violations; and three, eliminating the current rule's 21-day safe harbor provision, which has been so beneficial to our Federal court system.

And so to put it as simply as possible, H.R. 2655 will have a disastrous impact on the administration of justice.

Now, how would this bill chill legitimate civil rights litigation?

Civil rights cases often concern novel issues which made them particularly susceptible to rule 11 before the 1993 amendments. I hope all the Members of this body appreciate how significant this is and the important history that was made during that earlier period of time.

For example, a 1991 Federal Judicial Center study found that the incidence of rule 11 motions was "higher in civil rights cases than in some other types of cases."

Another study showed that, while civil rights cases comprised about 11 percent of Federal cases filed, more than 22 percent of the cases in which sanctions had been imposed were civil rights cases.

This legislation will also substantially increase the amount, cost, and intensity of civil litigation and create more grounds for unnecessary delay and harassment in the courtroom. Experts in civil procedure are virtually unanimous on this point.

By allowing rule 11 to be used as a tool to impose court costs on the other side, the 1983 version spawned a virtual cottage industry of rule 11 litigation. Each party had a financial incentive to tie up the other in rule 11 proceedings.

Professor Theodore Eisenberg of Cornell University has demonstrated that roughly one-third of all Federal lawsuits were burdened by satellite litigation during the period when this prior version of the rule was in effect. Attorneys had a double duty, he argued: "one to try the case, and the other to try the opposing counsel."

In recognition of these problems, the Judicial Conference amended the rule in 1993 to its present form. And so we should realize that we have the support and appreciate the constructive assistance of many of these organizations: the American Bar Association, the Alliance for Justice, the Consumer Federation of America, the National Consumer Law Center, the National Consumers League, Public Citizen, and the United States Public Interest Research Group, among others.

In addition, the legislation is opposed by the Judicial Conference of the United States, the principal policymaking body for the judicial branch charged with proposing amendments to the Federal Rules of Civil Procedure under the careful, deliberate process outlined in the Rules Enabling Act.

Madam Speaker, I reserve the balance of my time.

COMMITTEE ON RULES OF PRACTICE
AND PROCEDURE OF THE JUDICIAL
CONFERENCE OF THE UNITED
STATES,

Washington, DC, July 23, 2013.

Hon. JOHN CONYERS, JR.

Ranking Member, Committee on the Judiciary,
Washington, DC.

DEAR REPRESENTATIVE CONYERS: We write to present the views of the Judicial Conference Rules Committees on H.R. 2655, the Lawsuit Abuse Reduction Act of 2013.

As the current chairs of the Judicial Conference's Committee on the Rules of Practice and Procedure (the "Standing Rules Committee") and the Advisory Committee on the Federal Rules of Civil Procedure (the "Advisory Committee"), we oppose H.R. 2655, which seeks to reduce lawsuit abuse by amending Rule 11 of the Federal Rules of Civil Procedure. The bill would reinstate a mandatory sanctions provision of Rule 11 that was adopted in 1983 and eliminated in 1993. The bill would also eliminate a provision adopted in 1993 to allow a party to withdraw challenged pleadings on a voluntary basis, without the costs and delay to the challenging party of seeking and obtaining a court order. The concerns we express are the same concerns expressed by the Judicial Conference in 2004 and 2005, and by the Standing Rules Committee and Advisory Committee in 2011, when similar legislation was introduced.

We greatly appreciate, and share, the desire to improve the civil justice system in our federal courts, including by reducing frivolous filings. But legislation that would restore the 1983 version of Rule 11 by undoing the 1993 amendments would create a "cure" far worse than the problem it is meant to solve. Such legislation also contravenes the longstanding Judicial Conference policy opposing direct amendment of the federal rules by legislation instead of through the careful,

deliberate process Congress established in the Rules Enabling Act, 28 U.S.C. §§ 2071–2077.

The 1993 changes followed years of examination and were made on the Judicial Conference's strong recommendation, with the Supreme Court's approval, and after congressional review. The 1983 provision for mandatory sanctions was eliminated because it did not provide meaningful relief from the litigation behavior it was meant to address, and instead generated wasteful satellite litigation that had little to do with the merits of cases and that added to the time and costs of litigation.

The 1983 version of Rule 11 required sanctions for every violation of the rule. This mandatory sanctions provision quickly became a tool of abuse in civil litigation. Seeking to use mandatory sanctions to their advantage, aggressive lawyers filed motions for Rule 11 sanctions in response to virtually every filing in a civil case. Much time and money was spent in Rule 11 battles that had everything to do with strategic gamesmanship and little to do with underlying claims. Rule 11 motions came to be met with counter-motions that sought Rule 11 sanctions for making the original Rule 11 motion.

The 1983 version of Rule 11 spawned thousands of court decisions unrelated to the merits of the cases, sowed discord in the bar, and generated widespread criticism. As letters from the Judicial Conference commenting on proposed legislation similar to H.R. 2655 pointed out, some of the serious problems caused by the 1983 amendments to Rule 11 included:

1. creating a significant incentive to file unmeritorious Rule 11 motions by providing a greater possibility of receiving money;
2. engendering potential conflicts of interest between clients and their lawyers;
3. exacerbating tensions between lawyers; and
4. providing a disincentive to abandon or withdraw a pleading or claim that lacked merit—thereby admitting error and risking sanctions—even after determining that it no longer was supportable in law or fact.

The 1993 amendments to Rule 11 were designed to remedy the major problems with the rule, strike a fair balance between competing interests, and allow parties and courts to focus on the merits of the underlying cases rather than on Rule 11 motions. Since 1993, the rule has established a safe harbor, providing a party 21 days within which to withdraw a particular claim or defense before sanctions can be imposed. If the party fails to withdraw an allegedly frivolous claim or defense within the 21 days, a court may impose sanctions, including assessing reasonable attorney fees. The 1983 version of Rule 11 authorized a court to sanction discovery-related abuse under Rule 11, Rule 26(g), or Rule 37, which created confusion. Under the 1993 amendments to Rule 11, sanctioning of discovery-related abuse is limited to Rules 26 and 37, which provide for sanctions that include awards of reasonable attorney fees.

The 1993 amendments to Rule 11 culminated a long, critical examination of the rule begun four years earlier. The Advisory Committee reviewed a significant number of empirical studies of the 1983 version of Rule 11, including three separate studies conducted by the Federal Judicial Center in 1985, 1988, and 1991, a Third Circuit Task Force report on Rule 11 in 1989, and a New York State Bar Committee report in 1987.

After reviewing the literature and empirical studies of problems caused by the 1983 amendments to Rule 11, the Advisory Committee issued in 1990 a preliminary call for general comment on the operation and effect of the rule. The response was substantial and

clearly called for a change in the rule. The Advisory Committee concluded that the cost-shifting in Rule 11 created an incentive for too many unnecessary Rule 11 motions. Amendments to Rule 11 were drafted by the Advisory Committee, approved by the Standing Rules Committee, and approved by the Judicial Conference. The Supreme Court promulgated and transmitted the amendments to Congress in May 1993 after extensive scrutiny and debate by the bench, bar, and public in accordance with the Rules Enabling Act process.

Experience with the amended rule since 1993 has demonstrated a marked decline in Rule 11 satellite litigation without any noticeable increase in frivolous filings. In June 1995, the Federal Judicial Center conducted a survey of 1,130 lawyers and 148 judges on the effects of the 1993 Rule 11 amendments. About 580 attorneys and 120 judges responded. The Center found general satisfaction with the amended rule. It also found that a majority of the judges and lawyers did not favor a provision that would require mandatory sanctions when the rule is violated.

In 2005, the Federal Judicial Center surveyed federal trial judges to get a clearer picture of how the revised Rule 11 was operating. A copy of the study is enclosed. The study showed that judges on the front lines—those who must contend with frivolous litigation and apply Rule 11—strongly believe that the current rule works well. The study's findings include the following highlights:

More than 80 percent of the 278 district judges surveyed indicated that “Rule 11 is needed and it is just right as it now stands”; 87 percent prefer the existing Rule 11 to the 1983 version or the version proposed by legislation (e.g., H.R. 4571 (the Lawsuit Abuse Reduction Act of 2004) or H.R. 420 (the Lawsuit Abuse Reduction Act of 2005));

85 percent strongly or moderately support Rule 11's safe harbor provisions;

91 percent oppose the proposed requirement that sanctions be imposed for every Rule 11 violation;

84 percent disagree with the proposition that an award of attorney fees should be mandatory for every Rule 11 violation;

85 percent believe that the amount of groundless civil litigation has not grown since the promulgation of the 1993 rule (for judges commissioned before 1992) or since their first year as a federal district judge (for judges commissioned after January 1, 1992), with 12 percent noting that such litigation has not been a problem, 19 percent noting that such litigation decreased during their tenure on the federal bench, and 54 percent noting that such litigation has remained relatively constant; and

72 percent believe that addressing sanctions for discovery abuse in Rules 26(g) and 37 is better than in Rule 11.

The findings of the Federal Judicial Center underscore the judiciary's united opposition to legislation amending Rule 11. Lawyers share this view. In 2005, the American Bar Association issued a resolution opposing a proposed bill similar to H.R. 2655.

Minimizing frivolous filings is, of course, vital. But there is no need to reinstate the 1983 version of Rule 11 to work toward this goal. Judges have many tools available to respond to, and deter, frivolous pleadings. Those tools include 28 U.S.C. §1915(e), which requires courts to dismiss cases brought in forma pauperis that the court determines are frivolous or malicious or fail to state a claim, and 28 U.S.C. §1915A, which requires courts to dismiss prisoner complaints against governmental entities, officers, or employees that are frivolous, malicious, or fail to state a claim. Rule 12(b)(6) authorizes courts to dismiss pleadings that fail to state

a claim on which relief can be granted. Section 1927 of Title 28 of the United States Code authorizes sanctions against lawyers for “unreasonably and vexatiously” multiplying the proceedings in any case. And the present version of Rule 11 itself provides an effective, balanced tool, without the problems and satellite litigation the 1983 version created.

In May 2010, the Advisory Committee held a major conference on civil litigation, examining the problems of costs and delay—which encompass frivolous filings—and potential ways to improve the system. The Conference encouraged, and generated, a broad spectrum of criticisms by lawyers, litigants (including businesses and governmental entities), judges, and academics of the current approaches to federal civil cases, including the rules, and proposals for change. Conspicuous in their absence were any criticism of Rule 11 or any proposal to restore the 1983 version of the rule. Three years after the Conference, the Advisory Committee and Standing Rules Committee have approved publication of rules amendments designed to respond to suggestions made at the Conference on new means of reducing cost and delay in civil litigation and enhancing practical access to the federal courts. These three years of intense work did not find any reason to consider Rule 11 amendments.

Undoing the 1993 Rule 11 amendments would frustrate the purpose and intent of the Rules Enabling Act. Congress designed the Rules Enabling Act process in 1934 and reformed it in 1988 to produce the best rules possible by ensuring broad public participation and thorough review by the bench, the bar, and the academy. The Act charges the judiciary with the task of neutral, independent, and thorough analysis of the rules and their operation. The Rules Committees are dedicated to extensive study and analysis of the rules, including empirical research, so that they can propose rules that will best serve the American justice system and will not produce unintended consequences. Experience has shown that this process works well.

In summary, experience, research, and thoughtful deliberation have shown that there is no need to reinstate the 1983 version of Rule 11 that proved contentious and costly to litigants and diverted so much time and energy of the bar and bench. Doing so would add to, not improve, the problems of costs and delay that we are working to address. We urge you on behalf of the Rules Committees to not adopt the proposed legislation amending Rule 11.

Thank you for considering the Rules Committees' views. We look forward to continuing to work together to ensure that our civil justice system is working well to fulfill its vital role. If you or your staff have any questions, please contact Benjamin Robinson, Deputy Rules Officer and Counsel, at 202-502-1820.

Sincerely,

JEFFREY S. SUTTON,
*U.S. Circuit Judge,
Chair, Committee on
Rules of Practice
and Procedure.*

DAVID G. CAMPBELL,
*U.S. District Judge,
Chair, Advisory
Committee on Civil
Rules.*

Mr. GOODLATTE. Madam Speaker, at this time, it is my pleasure to yield 5 minutes to the gentleman from Arizona (Mr. FRANKS), the chairman of the Subcommittee on the Constitution and Civil Justice.

Mr. FRANKS of Arizona. Madam Speaker, I thank the chairman for

yielding me this time. I also want to express my appreciation to Chairman GOODLATTE and Chairman SMITH for both introducing and bringing forth this simple but important and much-needed legislation.

Madam Speaker, in order to stop lawsuit abuse, promote jobs in the economy, and restore basic fairness to our civil justice system, rule 11 of the Federal Rules of Civil Procedure must be amended.

Rule 11 provides for one of the most basic requirements for litigation in Federal court: that papers filed with a Federal district court must be based on both the facts and the law. In other words, rule 11 imposes on attorneys the very modest obligation to undertake a reasonable investigation of the facts and law underlying a claim before filing it.

This is a simple requirement, Madam Speaker, but one that both sides to a lawsuit must abide by if we are to have a properly functioning Federal court system. Unfortunately, the current version of rule 11 permits attorneys to file a lawsuit first and then try to back up their claims with law and fact later. This is because, under the current rules, failure to comply with rule 11 does not necessarily result in the imposition of sanctions.

The fact that litigants can violate rule 11 without penalty significantly reduces the deterrent effect of rule 11, which harms the integrity of the Federal courts and leads to both plaintiffs and defendants being forced to respond to frivolous claims and arguments. The Lawsuit Abuse Reduction Act corrects this flaw by requiring that Federal district court judges impose sanctions when rule 11 is violated.

Mandatory sanctions will more strongly discourage litigants from knowingly making frivolous claims in Federal court. It will also relieve litigants from the financial burden of having to respond to frivolous claims, as the legislation requires those who violate rule 11 to reimburse the opposing party for reasonable expenses incurred as a direct result of the violation.

Additionally, the legislation eliminates rule 11's 21-day safe harbor, which currently gives litigants a free pass to make frivolous claims so long as they withdraw those claims if the opposing side objects.

According to the Federal Rules of Civil Procedure, the goal of the rules is to ensure that every action and proceeding in Federal court be determined in a “just, speedy, and inexpensive” manner. Madam Speaker, I believe that this goal is best served through mandatory sanctions for violating this simple requirement of rule 11 that every filing be based on both the law and the facts.

So I urge my colleagues to support the Lawsuit Abuse Reduction Act to restore mandatory sanctions to rule 11.

Mr. CONYERS. Madam Speaker, I am pleased now to yield such time as he may consume to the distinguished gentleman from New York (Mr. NADLER), a

senior member of the House Judiciary Committee.

Mr. NADLER. Madam Speaker, I rise today in opposition to H.R. 2655, the so-called Lawsuit Abuse Reduction Act. Unfortunately, rather than reduce abusive litigation, this bill will have just the opposite effect.

We don't need to speculate about the disastrous effect of this legislation because we know from experience just what a fiasco it will be. The rule this legislation would restore was in effect from 1983 until 1993. It was a disaster.

After a decade with this rule, the Judicial Conference, the rulemaking body for the Federal judiciary, rightly rejected it in favor of the rule we have today. In fact, this legislation goes even beyond the text of the 1983 rule, broadening the flawed mandatory sanctions even further.

Worse still, the Judiciary Committee has not made even the pretense of considering this very radical change in civil procedure with any care. In fact, no hearings have been held on this legislation in this Congress.

The process, or lack of it, demonstrates the wisdom of the Rules Enabling Act, in which Congress gave the Judicial Conference the responsibility for reviewing court rules and proposing changes. They have done this job admirably, expending years of careful study to existing rules, how they are functioning, and the implications of any proposed changes.

While the sponsor has expressed the desire to limit unnecessary litigation, the experience with the old rule 11, which this bill would restore, was the exact opposite. Rule 11 litigation became a routine part of civil litigation, infecting one-third of all cases. Rather than serving as a disincentive, the old rule 11 actually made the system even more litigious and more costly.

□ 1330

In the decade following the 1983 amendments, which this bill would restore, there were almost 7,000 reported rule 11 cases, becoming part of approximately one-third of all Federal lawsuits. Many civil cases, one-third, became two cases: one case on the merits and the other on dueling rule 11 complaints.

Madam Speaker, it is rare in life that you get a controlled scientific experiment, but we had one here from 1983 to 1993. We saw the results, and they were disastrous, and only incautious people try to repeat disastrous scientific experiments.

The drain on the courts' and the parties' resources caused the Judicial Conference to revisit the rule and to adopt the changes that this bill would undo. In a July 23, 2013, letter to Chairman GOODLATTE and Ranking Member CONYERS, Judge Jeffrey Sutton of the United States Court of Appeals for the Sixth Circuit and chair of the Committee on Rules of Practice and Procedure and Judge David Campbell of the U.S. District Court for the District of

Arizona and chair of the Advisory Committee on Civil Rules said:

Experience, research, and thoughtful deliberation have shown that there is no need to reinstate the 1983 version of rule 11 that proved contentious and costly to litigants and diverted so much time and energy of the bar and bench. Doing so would add to, not improve, the problems of costs and delay that we are working to address. We urge you on behalf of the Rules Committee to not adopt the proposed legislation amending rule 11.

I might add that, in committee, the majority quoted a survey of judges from 1993 saying that we shouldn't change the rules then. Today, the judges very much are very glad we changed the rule because they have lived under both systems.

Madam Speaker, in addition to all these considerations of costs, the bill would hinder the evolution of the common law. One way the common law evolves is by people making claims in court, especially in civil rights cases. Civil rights cases often involve an argument for the extension, modification, or reversal of existing law or the establishment of a new law, and often they have relied upon novel legal theories that are particularly susceptible to someone claiming that they are abusive or frivolous. Had the provisions of this bill been in place at the time, they could have discouraged a number of landmark civil right cases, including *BROWN v. BOARD OF EDUCATION* of Topeka, and they could prevent new cases from ever being considered. Perhaps that is why all the civil rights groups, all the consumer rights groups oppose this bill.

Madam Speaker, the courts have ample authority to sanction conduct that undermines the integrity of our legal system, but this legislation is the wrong solution in search of a problem. By taking us back to a time when rule 11 actually promoted routine, costly, and unnecessary litigation, this bill is a cure worse than the disease. We know what this rule does, and the courts rightly rejected it 20 years ago. We should benefit from that experience, not repeat the scientific experiment, and reject this legislation.

Mr. GOODLATTE. Madam Speaker, it is my pleasure to yield 5 minutes to the gentleman from Texas (Mr. SMITH), the former chairman of the House Judiciary Committee and the chief sponsor of this legislation.

Mr. SMITH of Texas. Madam Speaker, I want to thank Chairman GOODLATTE for yielding me time and for also bringing the bill to the House floor today, and for all of his hard work on this legislation.

The Lawsuit Abuse Reduction Act, known as LARA, is only 1-1/2 pages long, but it would prevent the filing of hundreds of thousands of pages of privileged lawsuits in Federal court.

For example, in recent years, frivolous lawsuits have been filed against The Weather Channel for failing to accurately predict storms, against television shows people claimed were too

scary, and against fast-food companies because inactive children gained weight.

Frivolous lawsuits have become too common in our society. Lawyers who bring these cases have everything to gain and nothing to lose under current rules, which permit plaintiffs' lawyers to file frivolous suits, no matter how absurd the claims, with no penalty whatsoever. Meanwhile, defendants are faced with years of litigation and substantial attorneys' fees.

These cases, and many like them, have wrongly cost innocent individuals and business owners their reputations and their hard-earned dollars. According to the research firm Towers Perrin, the annual direct cost of American tort litigation now exceeds \$260 billion a year, or over \$850 billion per person in America.

Before 1993, it was mandatory for judges to impose sanctions, such as orders to pay for the other side's legal expenses, when lawyers filed frivolous lawsuits. Then the Civil Rules Advisory Committee, an obscure branch of the courts, made penalties optional. This needs to be reversed by Congress.

As Chairman GOODLATTE noted, even President Obama has expressed a willingness to limit frivolous lawsuits. If the President is serious about stopping these meritless claims, he will support mandatory sanctions for frivolous lawsuits to avoid making frivolous promises.

LARA requires lawyers who file frivolous lawsuits to pay the attorneys' fees and court costs for innocent defendants. Further, LARA expressly provides that no changes "shall be construed to bar or impede the assertion or development of new claims, defenses, or remedies under Federal, State, or local laws, including civil rights laws or under the Constitution of the United States." So civil rights law would not be affected in any way by LARA.

Opponents often argue that reinstating mandatory sanctions for frivolous lawsuits impedes judicial discretion, but this is not true. Under LARA, judges retain the discretion to determine whether or not a claim is frivolous. If a judge determines at their discretion that a claim is frivolous, they must award sanctions. This ensures that victims of frivolous lawsuits obtain compensation, but the decision to find a claim frivolous remains with the judge.

LARA applies to both plaintiffs and defendants. It applies to cases brought by individuals, as well as by businesses, including business claims filed to harass competitors and illicitly gain market share.

The American people are looking for solutions to obvious problems to lawsuit abuse. LARA restores accountability to our legal system by reinstating mandatory sanctions for attorneys who file frivolous lawsuits. Though it will not stop all lawsuit abuse, LARA encourages attorneys to

think twice before filing a frivolous lawsuit.

I thank Chairman GOODLATTE again for bringing this much-needed legislation to the House floor, and I ask my colleagues who oppose frivolous lawsuits and who want to protect hard-working Americans from false claims to support the Lawsuit Abuse Reduction Act.

Madam Speaker, I want to make one other point, and this goes to the earlier discussion we just had about judicial surveys.

751 Federal judges responded to the 1990 survey in which they overwhelmingly supported a rule 11 with mandatory sanctions. In the 2005 survey, only 278 judges responded, and over half of the judges who responded to the 2005 survey had no experience whatsoever under the stronger rule 11 because they were appointed to the bench after 1992. So the 2005 survey tells us very little about how judges comparatively view the stronger versus the weaker rule 11.

Mr. CONYERS. Madam Speaker, I am now pleased to yield as much time as she may consume to the gentlewoman from Houston, Texas (Ms. JACKSON LEE), a senior active member of the House Judiciary Committee.

Ms. JACKSON LEE. Madam Speaker, let me thank the gentleman for his outstanding leadership of this committee, and let me thank the manager as well. This is an important initiative. Using the time to be able to speak to the Members is very important, and I am glad to have been given the courtesy of being yielded as much time, and I will use it efficiently for this particular legislation.

This is another gift to large, prosperous, and threatening entities against a single plaintiff, the plaintiff who secures a lawyer, who is attempting to create the scales of justice and to balance, if you will, the needs of that individual plaintiff, those small plaintiffs, those collective plaintiffs who are seeking justice.

It is a fact that the threat of lawsuits is not a concern of small businesses, as has been represented. A 2008 study by the National Federation of Independent Business indicated that the biggest threat facing small businesses was other concerns and was not costs and frequency of lawsuits. That was No. 65. They have other issues that we should be concerned about.

It is a fact that judges support the current version of the rule, and rule 11 is just one of many tools that judges use. It is not the only tool to be able to be responsive to someone who may be abusing the system.

Remember, we are here to perpetuate justice, and justice has scales. In many instances, that scale is tipped towards the one with the most money, the deepest pockets, and the longest time to wear you out as a plaintiff.

Let me refresh my colleagues' minds and understanding of the Federal system, that tort cases are a very small percentage of that civil docket. So this

is not an instance. Many of these cases are filed in State court, these personal injury cases, these cases dealing with large damages because people have been injured because of bad products and other matters.

Here we have a bill looking for a problem. In actuality, LARA will increase, not decrease, litigation, and you can see the spiking that occurred. The Lawsuit Abuse Reduction Act would return rule 11 to the 1983 version. Litigation spiked after the 1983 amendment to rule 11. From 1982 to the peak in 1991, satellite litigation increased by more than 10,000 percent. Here we go with a gift to those who are truly litigious.

Just as we have been on the floor of the House pounding the Affordable Care Act because cancellation letters have been sent—they haven't been sent by Republicans. They haven't been sent by Democrats. They haven't been sent by Health and Human Services. They haven't been sent by people who are committed to making sure every American has health insurance. They have been sent by fat-cat insurance companies who are sending cancellation letters.

Here we go again, the scale of justice imbalanced. Again, the same problem: the mother, the single parent, the family waiting to get on the Affordable Care Act. In the normal course of the process, they get a cancellation letter. What an unnecessary act. That letter could have been that they were modifying their insurance, but there go the big guys again. You haven't heard one single sound coming out of the mouths of insurance companies to answer the question of why did they send the letters, and here we are on the floor of the House making it even worse.

Under the LARA regime, with mandatory sanctions and no opportunity to correct mistakes, the parties to a lawsuit have every incentive to file rule 11 complaints and seek court costs and legal fees, and to defend against such actions to the bitter end. This is a dynamic that should not happen. We should allow a pullback. We should allow a correction. All we are doing is just throwing them over the cliff and under the bus.

The changes would create a disincentive to abandon or withdraw a pleading or claim that lacks merit and thereby admit error after determining that it no longer was supportable by law or fact. As I have indicated, we have seen this kind since 1983 spike.

I have another statistic. Rule 11 cases spiked to 7,000 during the decade following the 1983 rule. So when a lawyer wants to do right with his client, the little guys, then, of course, they are blocked from solving the problems.

They use horror stories like demand letters, where a lawyer writes a letter demanding compensation in order to get a potential defendant to settle without having to file suit. That is not covered by rule 11. As far as I know, that is not an illegal procedure to en-

gage in discussion, to be able to resolve the matter before going to a costly lawsuit. Again, that is the little guy's tool. So you are going to beat up on the little guy—the construction worker that falls because of violations of OSHA rules, or the person that works in a chicken plant who has carpal tunnel syndrome because there were no appropriate rest times for them to get off of the line, and you are going to make the argument that this is right for justice.

Madam Speaker, this graph speaks for itself. This will add an extra burden of cost to those who are trying to find a way for Lady Justice's scales to be balanced. My belief, under the Sixth Amendment, the right to counsel, and many other aspects of the Bill of Rights, is that the Founding Fathers believed that justice should be rendered regardless of your race, color or creed, regardless of whether you were an indentured servant, regardless of whether or not you came in Pilgrims' Pride or came in some other matter.

□ 1345

Rule 11 completely disputes that concept of justice. I am appalled that we are here at this point today, and it equates to the fat-cat insurance companies who have decided to send out letters when they well knew that this was a process that would work ongoing in their modification that could be noted to those recipients that their insurance was not going away, it was only going to be made better. I would like to make the justice system better.

I thank the gentleman for his time, and I would like to make sure that the little guy has an opportunity to walk into any court of the United States of America and stand tall and feel that the judge, no matter what size his pocketbook is, will give him as much credence and respect as the big guys coming in with millions, maybe billions, to make sure he does not or she does not win justice in the court.

Today I would ask our colleagues to vote for fairness for Lady Justice and to vote against this initiative and this legislation.

Mr. Speaker, I rise in opposition to H.R. 2655, The Lawsuit Abuse Reduction Act—a flawed piece of legislation and a step backwards.

It amazes me that we did not learn the lesson from the ten years we had under the 1983 mandatory version of Rule 11. H.R. 2655 and its Senate companion S. 1288, the Lawsuit Abuse Reduction Act, known as LARA, would amend Rule 11 of the Federal Rule of Civil Procedure by replacing the current version of the Rule, which has been in effect since 1993, with the 1983 version of Rule 11. Based on what we have seen it is quite likely that the effect of this bill if enacted would be to increase litigation costs due to the filing of sanction motions—leading to more delay.

The bill should be called "The Lacking All Rational Analysis Act of 2013," because any impartial look would inform that this bill is unnecessary and a waste of time.

Congress should reject this measure, which would force the federal judiciary to enforce a

rule that legal scholars, judges, and lawyers agree was a complete failure. LARA would increase litigation, unnecessarily meddle with the authority of the federal judiciary, and disproportionately affect plaintiffs, especially plaintiffs in civil rights cases.

Encourages satellite litigation. For the 10 years that mandatory sanctions were in effect, litigation surrounding Rule 11 significantly increased. Any time a party filed a Rule 11 motion—because judges had no discretion and were forced to issue a sanction for even the smallest violation of the Rule—a counter-motion would be immediately filed and a whole side or “satellite” litigation business erupted. Congress does not need to be in the business of promoting more paper wars amongst attorneys.

Threatens an independent judiciary. Since 1993, Rule 11 has been discretionary rather than mandatory.

Under current Rule 11, judges are able to use their discretion to assess the complex nature of a case, and evaluate potential violations of the rule and issue sanctions accordingly. This appropriately leaves the determination of whether or not sanctions should be imposed for a violation of Rule 11 to the judges who hear the cases, and not Congress. Perhaps it is time that we allow judges to do their jobs and then we can move on to comprehensive immigration reform, tax reform, and other prudent legislative initiatives that the American people would like us to do.

Jeopardizes civil rights cases. Sanctions were more often imposed against plaintiffs than defendants and more often imposed against plaintiffs in certain kinds of cases, primarily in civil rights and certain kinds of discrimination cases. A leading study on this issue showed that although civil rights cases made up 11.4% of federal cases filed, 22.7% of the cases in which sanctions had been imposed were civil rights cases. Unfortunately Mr. Speaker, we are not at a time in our nation's great history where we can upend the law and make the filing of civil rights cases prohibitive. As we have seen recently with such appalling examples such as the Trayvon Martin case—we have a long way to go—and the civil rights bar should not cringe in fear at the thought of filing a case to do justice.

I urge my colleagues to reject this legislation.

Mr. GOODLATTE. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I did not think that, when I came down here today to debate this 1-page bill for Lawsuit Abuse Reduction Act, it would somehow get linked with the more than 2,000-page monstrosity popularly known, or unpopularity known, as ObamaCare, and told that somehow the promise that was made over and over and over again, that if you like the health insurance you have, you can keep it, was not the fault of the legislation itself, and the people making that promise, but was, rather, the fault of the insurance companies who have to deal with this more than 2,000-page monstrosity, and the more than 20,000 pages of regulations that have been written, and have to rewrite virtually every insurance policy for health care in America because of the mandates and the regulations that

are in that legislation; and somehow, the more than 4 million Americans, almost all of whom are the little guys, as I have just heard referenced, that somehow this is the fault of the insurance companies who are doing what they have been required to do under the law, and that is to make changes in the law that necessitates changing all of their policies, that necessitates making sure that things that are mandated by the law are included in their coverage, whether the people who had the policies that they liked could afford these new changes or not.

So many, many Americans are forced, by this legislation, to seek new health insurance, in some cases, far more expensive, and they can't afford it. But somehow that is made out to be the fault of the insurance companies, not the people who wrote the law, voted for the law, and then are implementing the law in spite of promises that were made that cannot be kept, not by insurance companies who are abiding by the law, but by others.

Now, to compare that to this legislation, which is a 1-page modest bill, to ensure that people who are the victims of frivolous lawsuits and fraudulent lawsuits cannot have justice in our Federal judicial system, I think, is just plain wrong.

And the chart that has just been displayed regarding rule 11 filings during the 1983–1993 period, when there was an increase in the number of hearings related to rule 11, that is a spike for justice. That is a spike for the increased opportunity for people who have been subjected to some of the most outrageous lawsuits that were described by the gentleman from Texas, that were described in my opening remarks, and that is their opportunity to seek real justice.

That is what this bill is all about, re-instating a spike for justice for the little guy, for the small business person, the individual who finds himself subject to a lawsuit under some of the most ridiculous circumstances you can imagine and saying, you know what, my life has been turned upside down by this lawsuit. I am not getting sleep at night. I am having to spend thousands or tens of thousands or even hundreds of thousands of dollars on attorneys. I am having to do things to change the way I live my life, and it is all because of something that was frivolous and fraudulent, and now I am seeking to have some redress, some redress for that wrong that was done.

That is the very basic principle of the American jurisprudence system, that people, when they are harmed, have the right to go to court and seek redress of their grievances. And that is exactly what this provision in this law does under rule 11. It says that if the court finds that the lawsuit is frivolous, then there is a mandatory requirement that the individual who is the victim of that frivolous lawsuit should recover losses.

That is, indeed, what this legislation is all about, and I am proud to support it.

Ms. JACKSON LEE. Will the gentleman yield?

Mr. GOODLATTE. I yield to the gentlewoman from Texas.

Ms. JACKSON LEE. The gentleman is very kind to yield.

Very briefly, let me say it is about policy and process. The gentleman knows that most of America is very happy about the changes in the Affordable Care Act to get them out of the junk insurance policies that they have had.

Mr. GOODLATTE. Reclaiming my time, if that were the case, then I don't think the President would have unilaterally delayed for 1 year the employer mandate where the vast majority of Americans are.

Imagine if this bill had taken effect as originally planned, and all of the employers in America, looking at their insurance policies for their employees, were also having to tell their employees that they could no longer afford to provide insurance or they are going to provide a different plan, or the employee had to pay more money, or the employee was being put into the exchanges, all of those things would be significant, serious problems.

But we digress from the importance of this legislation right here, which is something that we can join together, in a bipartisan way, to see that we have justice in our judicial system when people are unfairly sued, unfairly subject to frivolous or fraudulent lawsuits.

Madam Speaker, I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I am pleased to yield an additional 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. I thank the gentleman very much.

Madam Speaker, let me be very clear. I want to say to the gentleman from Virginia that I would venture to say that those attacks on frivolous lawsuits are the big guys against the little guys, who had very legitimate and good intentions. It may be their resources were limited, and so they have to be subjected to a rule 11 on a perfectly legitimate litigation to be called frivolous.

The other point that I was making is that there is something between process and policy. I will stand again to say that the policy of making better health plans and better and healthier Americans is supported by all.

The process that I challenge is that the big insurance companies decided to use the process of cancellation letters, not letters that said modify. They decided to use their big authority to be able to undermine a policy of lifting the boats of all Americans for good health.

That is what I see rule 11 as. I see that as undermining the basic scales of justice. It says to get back money for frivolous lawsuits. Well, the frivolous lawsuits may be on one individual or a group of small individuals who feel

that they have been harmed. They may have lost. They may be in the midst of pleadings, but they don't have the resources to file a rule 11. So what happens is those who want to be punitive will use a rule 11.

I think a judge can make determinations under the present system, and so the spiking that we are talking about is a spiking of rule 11 filings. That is more litigation. That is more litigation. That is what we are suggesting that we don't want.

And this response and respect that the President and others are giving, all of us want to give respect to the mishap that has been created by the insurance companies. And so, fine. The President is giving respect to the constituents because his bottom line is to make sure all uninsured Americans, like the 6 million in the State of Texas, get the opportunity to be insured.

Let me thank the gentleman for the time. I believe that we are going down the wrong path for rule 11.

I thank the gentleman for yielding.

Mr. GOODLATTE. Madam Speaker, I continue to reserve the balance of my time.

Mr. CONYERS. Madam Speaker, it is my pleasure now to yield 4 minutes to the distinguished gentleman from Pennsylvania (Mr. CARTWRIGHT).

Mr. CARTWRIGHT. I thank the gentleman from Michigan.

Madam Speaker, I come here as a freshman in this Congress. I come from northeastern Pennsylvania, my first time involved in the political theater. And I tell you, Madam Speaker, that I have plied my entire adult life in the civil courts. I have handled all manner of civil cases on behalf of defendants, on behalf of plaintiffs, on behalf of people, on behalf of companies. I have seen the whole spectrum of civil litigation; and I have been doing that, both before and after the repeal of the mandatory LARA provision in 1993, so I am as qualified as anybody in this Chamber to speak to the merits of this so-called lawsuit abuse reduction bill.

It is a bill that should fail; and I say this, not just because it tends to shut the door further on consumers seeking justice in the court system of the United States, but because it also reinstates a rule that has already been seen to be misapplied, to be misplaced, to be a bad rule.

In 1993, we abandoned this rule for a reason. It wasn't because we pulled it out of thin air, the idea to abandon this mandatory sanctions under rule 11 rule. It is because of the experience.

The gentlelady from Texas held up the chart. You saw the spiking in rule 11 filings. That wasn't because people were out diligently cleaning up the mess in civil courts. It is because they were encouraged to make those filings because of the mandatory nature of the rule. They felt like their clients expected them to file for rule 11 if they won a motion or if they won a case, and it led to enormous increases in unnecessary, what we call satellite litigation.

It was the Federal judges who complained to the Judicial Conference. They went to the Supreme Court, and Congress ultimately decided, in its wisdom, to abrogate that rule and abandoned it because of all of this wasteful litigation that was going on.

We had a Federal judge outside of Philadelphia, United States District Judge Robert Gawthrop, who saw so much of it he added a nickname to this rule 11 litigation that people felt compelled to file. He called it "zombie litigation." He called it zombie litigation, and he was enormously relieved when, in 1993, this Congress did away with it.

Current law allows judges to punish frivolous filings; and, on occasion, frivolous things happen in court, and the judges don't like them and they have the power to punish them. And it is within their discretion that they do that.

We like discretion to be vested in Federal judges. We are careful about selecting Federal judges. We vet Federal judges. We interview Federal judges. We actually confirm them here on Capitol Hill to make sure that they have sound discretion and good sense; and it is best left to the sound discretion and good sense of Federal judges to handle the situation when someone goes overboard with a filing.

This is us here now trying to fix a problem that doesn't exist. The National Center for State Courts—make no mistake, tort cases constitute 5 percent of filings in civil court. It is debt collection, it is breach of contracts cases that take up 70 percent.

From 1999–2008, tort case filings in State courts in the United States dropped 25 percent. Dropped to 2008. And this is all after the abrogation of the mandatory rule 11 rule.

□ 1400

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CONYERS. I yield the gentleman an additional 1 minute.

Mr. CARTWRIGHT. What this bill is really after is simply to make people afraid to go to court to assert their rights, to assert their voting rights, to assert their workplace safety rights, to assert the rights guaranteed them under the United States Constitution. This bill makes them afraid to go to court to assert their rights, and that is why I urge my fellow Members, Madam Speaker, to vote against this bill.

Mr. GOODLATTE. Will the gentleman yield?

Mr. CARTWRIGHT. I yield to the gentleman from Virginia.

Mr. GOODLATTE. I would ask the gentleman from Pennsylvania, what other sorts of legal claims should a victim be able to prove in court but be denied damages by the judge?

Mr. CARTWRIGHT. I am not sure what the gentleman is referring to.

Mr. GOODLATTE. Well, you are in court. You have got a frivolous lawsuit. The court finds it is a frivolous lawsuit. You prove that you are the

victim of that legal claim and you prove it in court, yet you can be denied damages by the judge.

What other legal remedy, what other legal claim would the gentleman cite other than frivolous lawsuits where that would be the case? Are there any others?

The SPEAKER pro tempore (Mr. GARDNER). The time of the gentleman has again expired.

Mr. GOODLATTE. Mr. Speaker, I yield myself 1 minute, and I would be happy to yield to the gentleman to respond.

Mr. CARTWRIGHT. I thank the gentleman.

The answer is this: we don't have idiots as Federal judges in this country. If a Federal judge sees a situation where somebody is really acting egregiously, really abusing the system, really filing a frivolous case, then that Federal judge just about uniformly will sanction the guilty party. We see that over and over and over. What we are doing here is imposing a cookie-cutter, one-size-fits-all remedy that the judges don't like. It adds to increased litigation, and it is unnecessary and expensive litigation.

Mr. GOODLATTE. Well, I thank the gentleman for his comment.

And I would just point out that I practiced law during the time that the mandatory sanctions were in place in Federal court and found that it was a very good environment to do so. I was then elected to Congress and got here and found that, lo and behold, a small panel of judges changed that rule without looking at the evidence of a survey of Federal judges where 751 Federal judges found that an overwhelming majority believed—

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume.

Federal judges found that an overwhelming majority of Federal judges believed, based on their experience under both a weaker and stronger rule 11, that a stronger rule 11 did not impede development of the law, 95 percent; the benefits of the rule outweighed any additional requirement of judicial time, 71.9 percent; the stronger version of rule 11 had a positive effect on litigation in the Federal courts, 81 percent; and the rule should be retained in its then current form. What we are attempting to reinstate into the law, 80.4 percent supported retaining the then-current mandatory sanctions under the law.

Mr. Speaker, this is about seeking real justice, and the fact of the matter is that, just like a judge could not deny well-founded damages in a lawsuit brought by an individual under a valid legal claim of any other kind, they should not be able to have the discretion to deny any damages when a frivolous lawsuit is proven and the expenses of having to undertake the defense of that frivolous lawsuit are made. And

yet time after time after time today, people do not even bother to do it anymore because of the low, low, low record of granting damages in findings of frivolous lawsuits since it was made discretionary, and the mandatory provision should be reinstated in the law. I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I am pleased now to yield 2 minutes to the gentleman from Florida, TED DEUTCH, a very effective member of the House Judiciary Committee.

Mr. DEUTCH. I thank my good friend from Michigan (Mr. CONYERS).

Mr. Speaker, make no mistake, the Lawsuit Abuse Reduction Act is little more than a GOP effort to turn back the clock on civil rights, on consumer protections, and on justice in America. I urge my colleagues to vote against it.

To most people, what this bill is sounds harmless. It reinstates the 1983 version of rule 11 in our Federal Rules of Civil Procedure. Indeed, this legislation is full of legal jargon and obscure technical language. But the American people still need to know why it is that the majority wants to go back to 1983 so badly. They want to reinstate the 1983 rule for the very reason it was taken away in the first place: it unfairly disadvantaged consumers, employees, and other ordinary Americans that tried to take on big corporations in our court system.

The Lawsuit Abuse Reduction Act doesn't stop frivolous lawsuits; it only makes it easier for corporations to file frivolous lawsuits for the sole purpose of delaying the legal process and driving up the cost of litigation. These tactics aim to make the price of justice too expensive for ordinary Americans, especially in cases involving consumer and civil rights.

You don't have to take my word for it. Studies have shown that civil rights and discrimination cases made up just 11.4 percent of the Federal court docket but 22 percent of the cases derailed by this rule. History has shown us that the 1983 version of rule 11 will further disadvantage everyday people with legitimate claims against corporations with deep pockets.

Mr. Speaker, the current rule was developed by a judicial panel and embraced by judges across the country. They are the ones who hear the cases. They are the ones who receive and consider the unique facts of each case. They are the ones who are in the position to make the decision whether the landmark civil rights and consumer rights cases of our time should go forward in our legal process, not the United States House of Representatives.

I ask my colleagues to stand up for everyday Americans' access to justice. Vote "no" on this bad bill.

Mr. GOODLATTE. Mr. Speaker, I will continue to reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I yield myself the balance of my time.

Ladies and gentlemen, as we see now, the Lawsuit Abuse Reduction Act will

turn back the clock to a time when the Federal Rules of Civil Procedure discouraged civil rights cases and permitted satellite litigation to run wild.

I want to point out, in closing, that this is now the second day this week that the House is considering legislation aimed at solving a nonexistent problem that has little or no chance of seeing the light of day in the other body and is solely aimed at limiting access to justice for victims of egregious harms.

Just as I asked yesterday, who actually supports this legislation? Why are we putting their interests ahead of victims'? And why are we engaged in this charade when there are real problems facing our Nation that our constituents are still waiting for us to address?

With just 13 legislative days left this year, we still haven't considered immigration reform. We haven't passed a budget. We haven't considered a single piece of legislation that will create jobs and put America back to work. So really, whose interest is this House concerned with today? I urge my colleagues, oppose this legislation.

Mr. Speaker, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I yield myself the remainder of my time.

Mr. Speaker, I am pleased that my friend and colleague from Michigan (Mr. CONYERS), the ranking member of the Judiciary Committee, raised the important issue of civil rights. It is absolutely important. And I share his concern that individuals who believe that their civil rights have been infringed in any way have the opportunity to bring actions in Federal court as long as those actions are not frivolous or based upon fraud. In fact, looking back during the time when we had mandatory sanctions from 1983 to 1993, the Federal Judicial Center, in its study, found that the imposition rate of sanctions in civil rights cases was not out of line with that in any other type of case.

Now, we have not rested there. When the committee marked up this legislation, the gentleman from Virginia (Mr. SCOTT) offered a bipartisan amendment which was added to the bill at the very end. I said it was a one-page bill. I am actually slightly mistaken. It is a one-and-a-third-page bill. And the one-third page that was added reads this way:

Rule of Construction—Nothing in this Act or an amendment made by this Act shall be construed to bar or impede the assertion or development of new claims, defenses, or remedies under Federal, State, or local laws, including civil rights laws, or under the Constitution of the United States.

So this measure is carefully crafted to make sure that we are not harming people's rights to seek legitimate redress of grievances in our courts. What it is designed to do is to eliminate frivolous and fraudulent lawsuits. And from the evidence of the survey of Federal judges who worked for 10 years under the rule that we would instate again with the passage of this legisla-

tion, the overwhelming majority of them said they would not change the rule, and it is unfortunate that a small committee chose to move forward to make that change notwithstanding.

I would add, too, that those who claim that this is not about the little guy are overlooking the fact that small businesses are affected by frivolous lawsuits all the time. And the National Federation of Independent Business, which bills itself as "the voice of small business" and which represents hundreds of thousands of small businesses all across America, endorses this legislation. In fact, they wrote to us and said that 84 percent of National Federation of Independent Business members agree that attorneys should face mandatory sanctions if they bring forth a frivolous lawsuit. The NFIB urges you to support final passage of H.R. 2655 and will consider it an NFIB key vote in the 113th Congress.

So in terms of the little guy—both the small business person and the individual—this legislation is designed to protect individuals against frivolous or fraudulent lawsuits. And, as I pointed out in my dialogue with another Member a little while ago, I don't believe anybody can come forward and give me any other example where a legal claim is validly brought in court and the victim is able to prove that wrong was perpetrated and prove that there are damages resulting from that wrong and yet be denied those damages by the judge. I challenge anybody to come forward and show me that.

So why, if you have a process that says under rule 11—which it did say at one time and would say again with the passage of this legislation—that you have a right to a process to show and establish that a lawsuit is frivolous, why after you have done that wouldn't it be mandatory that the process take one step further and assess the appropriate amount of damages that would be due and owing that victim of that abusive lawsuit that suffers in all the same ways that other people suffer when they are the victim of abusive actions of other kinds that result in actions being brought in court?

So I urge my colleagues to support this legislation, and I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in strong opposition to H.R. 2655, the Lawsuit Abuse Reduction Act (LARA). This deceptively-named bill would roll back Rule 11 of the Federal Rules of Civil Procedure by removing a judge's discretion to impose sanctions against any party that files a frivolous lawsuit.

The language in H.R. 2655 is based upon long-discredited procedural requirements, previously rejected by the American Bar Association and the Judicial Conference of the United States. An overwhelming majority of the legal community reject the underlying principles behind the 1983 version of Rule 11. In fact, according to a survey conducted by the Federal Judicial Center, 87 percent of federal district judges prefer the current version of Rule 11 over the old version. Further, 91 percent of

these judges oppose the requirements specifically found in H.R. 2655.

Mr. Speaker, I have grave concerns about H.R. 2655 and the impact it would have on civil rights cases all across the country. History has shown us that mandatory sanctions can be used as a tool against legitimate plaintiffs in civil rights cases. Passage of H.R. 2655 would revive this abuse, and actually prolong litigation—not reduce it. I urge all of my colleagues to oppose this legislation so that we can get back to working on issues that the American people truly care about.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 403, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. LEWIS of Georgia. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. LEWIS of Georgia. I am opposed to H.R. 2655.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Lewis moves to recommit the bill H.R. 2655 to the Committee on the Judiciary with instructions to report the same back to the House forthwith, with the following amendment:

Add, at the end of the bill, the following:

SEC. 3. PROTECTING CIVIL RIGHTS AND PREVENTING DISCRIMINATION.

This Act, and the amendments made by this Act, shall not apply in the case of any action brought under—

- (1) civil rights laws, including any case alleging discrimination based on sex, race, age, or other forms of discrimination; or
- (2) the Constitution.

□ 1415

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia is recognized for 5 minutes in support of his motion.

Mr. LEWIS. Mr. Speaker, this is the final amendment to the bill. It will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

My motion is similar to an amendment offered by my good friend, Ranking Member CONYERS, during the committee markup. It simply excludes civil rights cases from this act.

My amendment makes it crystal clear that discrimination based on sex, race, age, or other forms of discrimination will not be subjected to lengthy, expensive sanctions. People should have a right to seek redress to petition the courts to act. For an individual to be able to take legal action based on discrimination because of age, race, color, gender, or sexual orientation is not senseless. It is not frivolous or silly. They are exercising their sacred

right to work to make our union stronger and better for generations to come.

Mr. Speaker, I am not sure that my friends and colleagues in this body fully understand the importance of my amendment.

Civil rights lawsuits are unique because they push the judiciary to review, question, consider, and update our Nation's commitment—our constitutional duty—to respect the dignity and the worth of every human being. These cases inspire our judicial system to explore and develop new legal theories and standards.

There is no doubt that legislation like H.R. 2655 would have slowed down many historic legal successes of the 20th century. Civil rights landmarks like *BROWN v. BOARD OF EDUCATION* would have taken another 10 years. Rights to marital privacy could have been debated for who knows how long. Blacks and Whites would not have been free to marry. Same-sex couples would not have been able to love each other. Decisions guaranteeing freedom of the press and First Amendment protections could be ongoing.

Civil rights legal progress would have been even slower if this act was the law of the land 60, 50, or even 20 years ago. Our judicial system of thoughtful, deliberative, constant review makes our history—our progress, our commitment to justice—a model for nations around the world.

This effort has been tried already. It does not work. My amendment corrects the greatest injustice of this bill.

I urge all of my colleagues to support my commonsense change to this seriously flawed legislation. This amendment is the right thing to do, the fair thing to do. It is the just thing to do. I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I claim the time in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Speaker, I rise in opposition to this motion because the base bill makes sanctions for filing frivolous lawsuits in Federal court mandatory.

Under rule 11, a lawsuit is frivolous if it is presented for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation, if it is not warranted by existing law, or if the factual contentions have no evidentiary support. In other words, a lawsuit will only be found frivolous if it has no basis in law or fact. As soon as the judge finds that any claim of any kind is founded in law or fact, then no claim for damages because of a frivolous lawsuit would lie.

Who here thinks that lawyers should be able to avoid any penalty when the lawsuit they file is found by a Federal judge to have been simply filed to harass, to cause unnecessary delay, or to needlessly increase the cost of litigation? Or, when the Federal judge finds

that the lawsuit is not warranted by existing law or to have no evidentiary support?

If you think lawyers should be able to get off scot-free when they file those sorts of frivolous lawsuits, vote for this motion to recommit. If you agree with me that the victims of frivolous lawsuits are real victims and that they have to shell out thousands of dollars, endure sleepless nights, and spend time away from their family, work, and customers just to respond to frivolous pleadings, then you must oppose this motion to recommit.

When Business Week wrote an extensive article on what the most effective legal reforms would be, it stated what is needed are “penalties that sting.” As Business Week recommended:

Give judges stronger tools to punish renegade lawyers. Before 1993, it was mandatory for judges to impose sanctions such as public censures, fines, or orders to pay for the other side's legal expenses on lawyers who filed frivolous lawsuits. Then the Civil Rules Advisory Committee, an obscure branch of the courts, made penalties optional. This needs to be reversed . . . by Congress.

H.R. 2655, the Lawsuit Abuse Reduction Act, would do just that.

The specific language of the motion to recommit means that it literally immunizes from sanctions frivolous civil rights claims. That doesn't further civil rights; that sets them back, because the only claims that sanctions could be issued on would be claims for which there is no basis in law or fact.

That does not advance the cause.

I would add that the language in the motion to recommit adds, “shall not apply in the case of any action brought under, one, civil rights laws, and two, the Constitution.” That second provision, the Constitution, means that the motion to recommit covers every single lawsuit brought in any United States court in the land and any Federal court, and so it goes well beyond what is the stated intent of the motion to recommit.

A better way to look at this is to look at what the Federal Judicial Center found in its study when it looked at the imposition of the mandatory sanctions under rule 11 that existed from 1983 to 1993. It found that the imposition rate of sanctions in civil rights cases was not out of line with that in any other type of cases.

Furthermore, when this bill was drafted for this Congress—a very narrowly drafted bill, just 1½ pages long—we added a rule of construction for specific protection for valid, legitimate civil rights lawsuits that are based in law or fact.

It says in the rule of construction, as I said earlier:

Nothing in this act or an amendment made by this act shall be construed to bar or impede the assertion or development of new claims, defenses, or remedies under Federal, State, or local laws, including civil rights laws or under the Constitution of the United States.

That is the proper way to protect civil rights litigation. Meritorious civil

litigation founded in law or in fact. That indeed is what the legislation does, and that is why the House should reject the motion to recommit and pass the Lawsuit Abuse Reduction Act.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. LEWIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered; and adoption of the motion to instruct on H.R. 3080.

The vote was taken by electronic device, and there were—yeas 197, nays 225, not voting 8, as follows:

[Roll No. 580]

YEAS—197

Andrews	Fattah	McDermott
Barber	Foster	McGovern
Barrow (GA)	Frankel (FL)	McIntyre
Bass	Fudge	McNerney
Beatty	Gabbard	Meeks
Becerra	Gallego	Meng
Bera (CA)	Garamendi	Michaud
Bishop (GA)	Garcia	Miller, George
Bishop (NY)	Grayson	Moore
Blumenauer	Green, Al	Moran
Bonamici	Green, Gene	Murphy (FL)
Brady (PA)	Gutiérrez	Nadler
Braley (IA)	Hahn	Napolitano
Brown (FL)	Hanabusa	Neal
Brownley (CA)	Hastings (FL)	Negrete McLeod
Bustos	Heck (WA)	Nolan
Butterfield	Higgins	O'Rourke
Capps	Himes	Owens
Capuano	Hinojosa	Pallone
Cardenas	Holt	Pascarell
Carney	Honda	Pastor (AZ)
Carson (IN)	Horsford	Payne
Cartwright	Hoyer	Pelosi
Castor (FL)	Huffman	Perlmutter
Castro (TX)	Israel	Peters (CA)
Chu	Jackson Lee	Peters (MI)
Ciilline	Jeffries	Peterson
Clarke	Johnson (GA)	Pingree (ME)
Clay	Johnson, E. B.	Pocan
Cleaver	Keating	Polis
Clyburn	Kelly (IL)	Price (NC)
Cohen	Kennedy	Quigley
Connolly	Kildee	Rahall
Conyers	Kilmer	Rangel
Cooper	Kind	Richmond
Costa	Kirkpatrick	Roybal-Allard
Courtney	Kuster	Ruiz
Crowley	Langevin	Ruppersberger
Cuellar	Larsen (WA)	Ryan (OH)
Cummings	Larson (CT)	Sánchez, Linda
Davis (CA)	Lee (CA)	T.
Davis, Danny	Levin	Sanchez, Loretta
DeFazio	Lewis	Sarbanes
DeGette	Lipinski	Schakowsky
Delaney	Loebach	Schiff
DeLauro	Lofgren	Schneider
DelBene	Lowenthal	Schrader
Deutch	Lowey	Schwartz
Dingell	Lujan Grisham	Scott (VA)
Doggett	(NM)	Scott, David
Doyle	Luján, Ben Ray	Serrano
Duckworth	(NM)	Sewell (AL)
Duncan (TN)	Lynch	Shea-Porter
Edwards	Maffei	Sherman
Ellison	Maloney,	Sinema
Engel	Carolyn	Sires
Enyart	Maloney, Sean	Slaughter
Eshoo	Matheson	Smith (WA)
Esty	Matsui	Speier
Farr	McCollum	Swalwell (CA)

Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen

Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz

Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NAYS—225

Aderholt	Graves (MO)
Amash	Griffin (AR)
Amodei	Griffith (VA)
Bachmann	Grimm
Bachus	Guthrie
Barletta	Hall
Barr	Hanna
Barton	Harper
Benishek	Harris
Bentivolio	Hartzler
Bilirakis	Hastings (WA)
Bishop (UT)	Heck (NV)
Black	Hensarling
Blackburn	Holding
Boustany	Hudson
Brady (TX)	Huelskamp
Bridenstine	Huizenga (MI)
Brooks (AL)	Hultgren
Brooks (IN)	Hunter
Broun (GA)	Hurt
Buchanan	Issa
Bucshon	Jenkins
Burgess	Johnson (OH)
Calvert	Johnson, Sam
Camp	Jordan
Cantor	Joyce
Capito	Kelly (PA)
Carter	King (IA)
Cassidy	King (NY)
Chabot	Kingston
Chaffetz	Kinzing (IL)
Coble	Kline
Coffman	Labrador
Cole	LaMalfa
Collins (GA)	Lamborn
Collins (NY)	Lance
Conaway	Lankford
Cook	Latham
Cotton	Latta
Cramer	LoBiondo
Crawford	Long
Crenshaw	Lucas
Culberson	Luetkemeyer
Daines	Lummis
Davis, Rodney	Marchant
Denham	Marino
Dent	Massie
DeSantis	McCarthy (CA)
DesJarlais	McCaul
Diaz-Balart	McClintock
Duffy	McHenry
Duncan (SC)	McKeon
Ellmers	McKinley
Farenthold	McMorris
Fincher	Rodgers
Fitzpatrick	Meadows
Fleischmann	Meehan
Fleming	Messer
Flores	Mica
Forbes	Miller (FL)
Fortenberry	Miller (MI)
Fox	Miller, Gary
Frank (AZ)	Mullin
Frelinghuysen	Mulvaney
Gardner	Murphy (PA)
Garrett	Neugebauer
Gerlach	Noem
Gibbs	Nugent
Gibson	Nunes
Gingrey (GA)	Nunnelee
Gohmert	Olson
Goodlatte	Palazzo
Gosar	Paulsen
Gowdy	Pearce
Granger	Petri
Graves (GA)	Pittenger

NOT VOTING—8

Campbell	Jones	Perry
Grijalva	Kaptur	Rush
Herrera Beutler	McCarthy (NY)	

□ 1452

Messrs. THOMPSON of Pennsylvania and CALVERT changed their vote from “yea” to “nay.”

Ms. SPEIER and Mr. TIERNEY changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. PERRY. Mr. Speaker, on rollcall No. 2655—Motion to Recommit; I was off-site and my staff was unable to contact me regarding the vote due to a inoperative telephone. Had I been present, I would have voted “no.”

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. SCOTT of Virginia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 228, nays 195, not voting 7, as follows:

[Roll No. 581]

AYES—228

Aderholt	Franks (AZ)	McClintock
Amash	Frelinghuysen	McHenry
Amodei	Gardner	McKeon
Bachmann	Garrett	McKinley
Bachus	Gerlach	McMorris
Barletta	Gibbs	Rodgers
Barr	Gibson	Meadows
Barton	Gingrey (GA)	Meehan
Benishek	Gohmert	Messer
Bentivolio	Goodlatte	Mica
Bilirakis	Gosar	Miller (FL)
Bishop (UT)	Gowdy	Miller (MI)
Black	Granger	Miller, Gary
Blackburn	Graves (GA)	Mullin
Boustany	Graves (MO)	Mulvaney
Brady (TX)	Griffin (AR)	Murphy (PA)
Bridenstine	Grimm	Neugebauer
Brooks (AL)	Guthrie	Noem
Brooks (IN)	Hall	Nugent
Buchanan	Hanna	Nunes
Bucshon	Harper	Nunnelee
Burgess	Harris	Olson
Calvert	Hartzler	Palazzo
Camp	Hastings (WA)	Paulsen
Cantor	Heck (NV)	Pearce
Capito	Hensarling	Perry
Carter	Holding	Peterson
Cassidy	Hudson	Petri
Chabot	Huelskamp	Pittenger
Chaffetz	Huizenga (MI)	Pitts
Coble	Hultgren	Poe (TX)
Coffman	Hunter	Pompeo
Cole	Hurt	Posey
Collins (GA)	Issa	Price (GA)
Collins (NY)	Jenkins	Radel
Conaway	Johnson (OH)	Reed
Cook	Johnson, Sam	Reichert
Cotton	Jordan	Renacci
Cramer	Joyce	Ribble
Crawford	Kelly (PA)	Rice (SC)
Crenshaw	King (IA)	Rigell
Cuellar	King (NY)	Roby
Culberson	Kingston	Roe (TN)
Daines	Kinzing (IL)	Rogers (AL)
Davis, Rodney	Kline	Rogers (KY)
Denham	Labrador	Rogers (MI)
Dent	LaMalfa	Rohrabacher
DeSantis	Lamborn	Rokita
DesJarlais	Lance	Rooney
Diaz-Balart	Lankford	Ros-Lehtinen
Duffy	Latham	Roskam
Duncan (SC)	Latta	Ross
Duncan (TN)	LoBiondo	Rothfus
Ellmers	Long	Royce
Farenthold	Lucas	Runyan
Fincher	Luetkemeyer	Ryan (WI)
Fitzpatrick	Lummis	Salmon
Fleischmann	Marchant	Sanford
Fleming	Marino	Scalise
Flores	Massie	Schock
Forbes	Matheson	Schweikert
Fortenberry	McCarthy (CA)	Scott, Austin
Fox	McCaul	Sensenbrenner

Sessions	Thompson (PA)	Westmoreland
Shimkus	Thornberry	Whitfield
Shuster	Tiberi	Williams
Simpson	Tipton	Wilson (SC)
Smith (MO)	Turner	Wittman
Smith (NE)	Upton	Wolf
Smith (NJ)	Valadao	Womack
Smith (TX)	Wagner	Woodall
Southerland	Walberg	Yoder
Stewart	Walden	Yoho
Stivers	Walorski	Young (AK)
Stockman	Weber (TX)	Young (IN)
Stutzman	Webster (FL)	
Terry	Wenstrup	

NOES—195

Andrews	Grayson	Negrete McLeod
Barber	Green, Al	O'Rourke
Barrow (GA)	Green, Gene	Owens
Bass	Griffith (VA)	Pallone
Beatty	Grijalva	Pascrell
Becerra	Gutiérrez	Pastor (AZ)
Bera (CA)	Hahn	Payne
Bishop (GA)	Hanabusa	Pelosi
Bishop (NY)	Hastings (FL)	Perlmutter
Blumenauer	Heck (WA)	Peters (CA)
Bonamici	Higgins	Peters (MI)
Brady (PA)	Himes	Pingree (ME)
Braley (IA)	Hinojosa	Pocan
Broun (GA)	Holt	Polis
Brown (FL)	Honda	Price (NC)
Brownley (CA)	Horsford	Quigley
Bustos	Hoyer	Rahall
Butterfield	Huffman	Rangel
Capps	Israel	Richmond
Capuano	Jackson Lee	Roybal-Allard
Cárdenas	Jeffries	Ruiz
Carney	Johnson (GA)	Ruppersberger
Carson (IN)	Johnson, E. B.	Ryan (OH)
Cartwright	Keating	Sánchez, Linda
Castor (FL)	Kelly (IL)	T.
Castro (TX)	Kennedy	Sánchez, Loretta
Chu	Kildee	Sarbanes
Cicilline	Kilmer	Schakowsky
Clarke	Kind	Schiff
Clay	Kirkpatrick	Schneider
Cleaver	Kuster	Schrader
Clyburn	Langevin	Schwartz
Cohen	Larsen (WA)	Scott (VA)
Connolly	Larson (CT)	Scott, David
Conyers	Lee (CA)	Serrano
Cooper	Levin	Sewell (AL)
Costa	Lewis	Shea-Porter
Courtney	Lipinski	Sherman
Crowley	Loeb sack	Sinema
Cummings	Lofgren	Sires
Davis (CA)	Lowenthal	Slaughter
Davis, Danny	Lowe y	Smith (WA)
DeFazio	Lujan Grisham	Speier
DeGette	(NM)	Swalwell (CA)
Delaney	Luján, Ben Ray	Takano
DeLauro	(NM)	Thompson (CA)
DelBene	Lynch	Thompson (MS)
Deutch	Maffei	Tierney
Dingell	Maloney,	Titus
Doggett	Carolyn	Tonko
Doyle	Maloney, Sean	Tsongas
Duckworth	Matsui	Van Hollen
Edwards	McCollum	Vargas
Ellison	McDermott	Veasey
Engel	McGovern	Vela
Enyart	McIntyre	Velázquez
Eshoo	McNerney	Visclosky
Esty	Meeks	Walz
Farr	Meng	Wasserman
Fattah	Michaud	Waters
Foster	Miller, George	Watt
Frankel (FL)	Moore	Waxman
Fudge	Moran	Welch
Gabbard	Murphy (FL)	Wenstrup
Gallo	Nadler	Whitfield
Garamendi	Napolitano	Williams
Garcia	Neal	Wilson (FL)

NOT VOTING—7

Campbell	Kaptur	Rush
Herrera Beutler	McCarthy (NY)	
Jones	Nolan	

□ 1502

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. NOLAN. Mr. Speaker, on rollcall No. 581, I was inadvertently detained and missed the vote. Had I been present, I would have voted “no.”

MOTION TO INSTRUCT CONFEREES ON H.R. 3080, WATER RESOURCES REFORM AND DEVELOPMENT ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to instruct on the bill (H.R. 3080) to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes, offered by the gentleman from New York (Mr. SEAN PATRICK MALONEY) on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 347, nays 76, answered “present” 1, not voting 6, as follows:

[Roll No. 582]

YEAS—347

Amodei	Connolly	Garamendi
Andrews	Conyers	Garcia
Bachmann	Cook	Gardner
Bachus	Cooper	Gerlach
Barber	Costa	Gibbs
Barletta	Courtney	Gibson
Barr	Cramer	Graves (MO)
Barrow (GA)	Crawford	Grayson
Bass	Crenshaw	Green, Al
Beatty	Crowley	Green, Gene
Becerra	Cuellar	Griffin (AR)
Benishkek	Culberson	Grijalva
Bera (CA)	Cummings	Grimm
Billirakis	Daines	Guthrie
Bishop (GA)	Davis (CA)	Gutiérrez
Bishop (NY)	Davis, Danny	Hahn
Bishop (UT)	Davis, Rodney	Hall
Black	DeFazio	Hanabusa
Blackburn	DeGette	Hanna
Blumenauer	Delaney	Hartzler
Bonamici	DeLauro	Hastings (FL)
Brady (PA)	DelBene	Hastings (WA)
Brady (TX)	Denham	Heck (NV)
Braley (IA)	Dent	Heck (WA)
Brooks (IN)	DesJarlais	Higgins
Brown (FL)	Deutch	Himes
Brownley (CA)	Diaz-Balart	Hinojosa
Buchanan	Dingell	Holt
Bucshon	Doggett	Honda
Bustos	Doyle	Horsford
Butterfield	Duckworth	Hoyer
Calvert	Duffy	Huffman
Camp	Duncan (TN)	Hultgren
Cantor	Edwards	Hunter
Capito	Ellison	Israel
Capps	Ellmers	Issa
Capuano	Engel	Jackson Lee
Cárdenas	Enyart	Jeffries
Carney	Eshoo	Johnson (GA)
Carson (IN)	Esty	Johnson (OH)
Cartwright	Farenthold	Johnson, E. B.
Cassidy	Farr	Joyce
Castor (FL)	Fattah	Keating
Castro (TX)	Fincher	Kelly (IL)
Chaffetz	Fitzpatrick	Kelly (PA)
Chu	Fleischmann	Kennedy
Cicilline	Fleming	Kildee
Clarke	Flores	Kilmer
Clay	Forbes	Kind
Cleaver	Fortenberry	King (IA)
Clyburn	Foster	King (NY)
Coble	Frankel (FL)	Kinzing (IL)
Coffman	Frelinghuysen	Kirkpatrick
Cohen	Fudge	Kline
Cole	Gabbard	Kuster
Collins (NY)	Gallego	LaMalfa

Lance	Noem	Sensenbrenner
Langevin	Nolan	Serrano
Lankford	Nunes	Sessions
Larsen (WA)	O'Rourke	Sewell (AL)
Larson (CT)	Owens	Shea-Porter
Latham	Pallone	Sherman
Latta	Pascrell	Shimkus
Lee (CA)	Pastor (AZ)	Shuster
Levin	Paulsen	Simpson
Lewis	Payne	Sinema
Lipinski	Pelosi	Sires
LoBiondo	Perlmutter	Slaughter
Loeb sack	Perry	Smith (NE)
Lofgren	Peters (CA)	Smith (NJ)
Lowenthal	Peters (MI)	Smith (TX)
Lowe y	Peterson	Smith (WA)
Lucas	Petri	Southerland
Luetkemeyer	Pingree (ME)	Speier
Lujan Grisham	Pitts	Stewart
(NM)	Pocan	Stivers
Luján, Ben Ray	Polis	Swalwell (CA)
(NM)	Posey	Takano
Lynch	Price (NC)	Terrill
Maffei	Quigley	Thompson (CA)
Maloney,	Radel	Thompson (MS)
Carolyn	Rahall	Thompson (PA)
Maloney, Sean	Rangel	Tiberi
Marchant	Reichert	Tierney
Marino	Renacci	Tipton
Matheson	Rice (SC)	Titus
Matsui	Richmond	Tonko
McCarthy (CA)	Rigell	Tsongas
McCaul	Roe (TN)	Turner
McClintock	Rogers (KY)	Upton
McCollum	Rogers (MI)	Valadao
McDermott	Rohrabacher	Van Hollen
McGovern	Rokita	Vargas
McHenry	Ros-Lehtinen	Veasey
McIntyre	Roskam	Vela
McKeon	Rothfus	Velázquez
McKinley	Roybal-Allard	Visclosky
McMorris	Royce	Walberg
Rodgers	Ruiz	Walden
McNerney	Runyan	Walorski
Meadows	Ruppersberger	Walz
Meehan	Ryan (OH)	Wasserman
Meeks	Ryan (WI)	Schultz
Meng	Sánchez, Linda	T.
Mica	T.	Sánchez, Loretta
Michaud	Sanchez, Loretta	Sanford
Miller (MI)	Sanford	Sarbanes
Miller, Gary	Sarbanes	Scalise
Miller, George	Scalise	Schakowsky
Moore	Schiff	Schneider
Moran	Schneider	Schock
Mullin	Schock	Schrader
Murphy (FL)	Schwartz	Scott (VA)
Murphy (PA)	Scott, Austin	Scott, David
Nadler	Scott, David	
Napolitano		
Neal		
Negrete McLeod		

NAYS—76

Aderholt	Griffith (VA)	Pearce
Amash	Harper	Pittenger
Barton	Harris	Poe (TX)
Bentivolio	Hensarling	Pompeo
Boustany	Holding	Price (GA)
Bridenstine	Hudson	Reed
Brooks (AL)	Huelskamp	Roby
Broun (GA)	Huizenga (MI)	Rogers (AL)
Burgess	Hurt	Rooney
Carter	Jenkins	Ross
Chabot	Johnson, Sam	Salmon
Collins (GA)	Jordan	Schweikert
Conaway	Kingston	Smith (MO)
Cotton	Labrador	Stockman
DeSantis	Lamborn	Stutzman
Duncan (SC)	Long	Thornberry
Fox	Lummis	Wagner
Franks (AZ)	Massie	Weber (TX)
Garrett	Messer	Webster (FL)
Gingrey (GA)	Miller (FL)	Westmoreland
Gohmert	Mulvaney	Wittman
Goodlatte	Neugebauer	Woodall
Gosar	Nugent	Yoho
Gowdy	Nunnelee	Young (AK)
Granger	Olson	
Graves (GA)	Palazzo	

ANSWERED “PRESENT”—1

Ribble

NOT VOTING—6

Campbell	Jones	McCarthy (NY)
Herrera Beutler	Kaptur	Rush

□ 1510

Mrs. BLACK changed her vote from “nay” to “yea.”

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

APPOINTMENT OF CONFEREES ON H.R. 3080, WATER RESOURCES REFORM AND DEVELOPMENT ACT

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees on H.R. 3080:

From the Committee on Transportation and Infrastructure, for consideration of the House bill and the Senate amendment, and modifications committed to conference:

Messrs. SHUSTER, DUNCAN of Tennessee, LOBIONDO, GRAVES of Georgia, Mrs. CAPITO, Mrs. MILLER of Michigan, Messrs. HUNTER, BUCSHON, GIBBS, HANNA, WEBSTER of Florida, RICE of South Carolina, MULLIN, RODNEY DAVIS of Illinois, RAHALL, DEFazio, Ms. BROWN of Florida, EDDIE BERNICE JOHNSON of Texas, Mr. BISHOP of New York, Ms. EDWARDS, Mr. GARAMENDI, Ms. HAHN, Mr. NOLAN, Ms. FRANKEL of Florida, and Mrs. BUSTOS.

From the Committee on Natural Resources, for consideration of secs. 103, 115, 144, 146, and 220 of the House bill, and secs. 2017, 2027, 2028, 2033, 2051, 3005, 5002, 5003, 5005, 5007, 5012, 5018, 5020, title XII, and sec. 13002 of the Senate amendment, and modifications committed to conference:

Messrs. HASTINGS of Washington, BISHOP of Utah, and Mrs. NAPOLITANO.

There was no objection.

□ 1515

SMALL AIRPLANE REVITALIZATION ACT OF 2013

Mr. POMPEO. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1848) to ensure that the Federal Aviation Administration advances the safety of small airplanes, and the continued development of the general aviation industry, and for other purposes, with the Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will report the Senate amendment.

The Clerk read as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Small Airplane Revitalization Act of 2013”.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) A healthy small aircraft industry is integral to economic growth and to maintaining an effective transportation infrastructure for communities and countries around the world.

(2) Small airplanes comprise nearly 90 percent of general aviation aircraft certified by the Federal Aviation Administration.

(3) General aviation provides for the cultivation of a workforce of engineers, manufacturing and maintenance professionals, and pilots who secure the economic success and defense of the United States.

(4) General aviation contributes to well-paying jobs in the manufacturing and technology sectors in the United States and products produced by those sectors are exported in great numbers.

(5) Technology developed and proven in general aviation aids in the success and safety of all sectors of aviation and scientific competence.

(6) The average small airplane in the United States is now 40 years old and the regulatory barriers to bringing new designs to the market are resulting in a lack of innovation and investment in small airplane design.

(7) Since 2003, the United States lost 10,000 active private pilots per year on average, partially due to a lack of cost-effective, new small airplanes.

(8) General aviation safety can be improved by modernizing and revamping the regulations relating to small airplanes to clear the path for technology adoption and cost-effective means to retrofit the existing fleet with new safety technologies.

SEC. 3. SAFETY AND REGULATORY IMPROVEMENTS FOR GENERAL AVIATION.

(a) IN GENERAL.—Not later than December 15, 2015, the Administrator of the Federal Aviation Administration shall issue a final rule—

(1) to advance the safety and continued development of small airplanes by reorganizing the certification requirements for such airplanes under part 23 to streamline the approval of safety advancements; and

(2) that meets the objectives described in subsection (b).

(b) OBJECTIVES DESCRIBED.—The objectives described in this subsection are based on the recommendations of the Part 23 Reorganization Aviation Rulemaking Committee:

(1) The establishment of a regulatory regime for small airplanes that will improve safety and reduce the regulatory cost burden for the Federal Aviation Administration and the aviation industry.

(2) The establishment of broad, outcome-driven safety objectives that will spur innovation and technology adoption.

(3) The replacement of current, prescriptive requirements under part 23 with performance-based regulations.

(4) The use of consensus standards accepted by the Federal Aviation Administration to clarify how the safety objectives of part 23 may be met using specific designs and technologies.

(c) CONSENSUS-BASED STANDARDS.—In prescribing regulations under this section, the Administrator shall use consensus standards, as described in section 12(d) of the National Technology Transfer and Advancement Act of 1996 (15 U.S.C. 272 note), to the extent practicable while continuing traditional methods for meeting part 23.

(d) SAFETY COOPERATION.—The Administrator shall lead the effort to improve general aviation safety by working with leading aviation regulators to assist them in adopting a complementary regulatory approach for small airplanes.

(e) DEFINITIONS.—In this section:

(1) CONSENSUS STANDARDS.—

(A) IN GENERAL.—The term “consensus standards” means standards developed by an organization described in subparagraph (B) that may include provisions requiring that owners of relevant intellectual property have agreed to make that intellectual property available on a non-discriminatory, royalty-free, or reasonable royalty basis to all interested persons.

(B) ORGANIZATIONS DESCRIBED.—An organization described in this subparagraph is a domestic or international organization that—

(i) plans, develops, establishes, or coordinates, through a process based on consensus and using agreed-upon procedures, voluntary standards; and

(ii) operates in a transparent manner, considers a balanced set of interests with respect to such standards, and provides for due process and an appeals process with respect to such standards.

(2) PART 23.—The term “part 23” means part 23 of title 14, Code of Federal Regulations.

(3) PART 23 REORGANIZATION AVIATION RULEMAKING COMMITTEE.—The term “Part 23 Reorganization Aviation Rulemaking Committee” means the aviation rulemaking committee established by the Federal Aviation Administration in August 2011 to consider the reorganization of the regulations under part 23.

(4) SMALL AIRPLANE.—The term “small airplane” means an airplane which is certified to part 23 standards.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

A motion to reconsider was laid on the table.

OBAMACARE

(Mr. CANTOR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CANTOR. Mr. Speaker, millions of Americans are coming home and opening their mailboxes to find shocking news; their health care plans are being taken away from them.

The President broke a promise we knew he couldn't keep, and now millions of Americans feel betrayed, wondering why their health care plans are being canceled.

Mr. Speaker, this letter was sent to me by a constituent. His name is Bruno Gora, and he is a constituent of mine in Richmond, Virginia. He is a self-employed individual who purchases health insurance through Anthem BlueCross/BlueShield. A few weeks ago, he was stunned to receive this letter in the mail, and it clearly reads: “To meet the requirements of the new law, your current plan can no longer be offered.”

Any new plan could cost Mr. Gora thousands of dollars more. Why should he or anyone else be forced to buy a different insurance policy if they are happy with the one they have?

With every new day that passes, we continue to learn more and more about people in the same situation. Mr. Gora and this cancellation letter represent millions of ObamaCare victims across the country who are having their health insurance ripped away from them.

As a result, we House Republicans will put the Keep Your Plan Act on the floor for a vote tomorrow. The only way to stop every cancellation letter is by full repeal of this law. However, this bill will hopefully begin to ease some of the pain that working families are feeling because of President Obama's health care law.

Tomorrow, we will see who will put their constituents before policies and vote for a bill that could allow Americans to keep their plans.

I sincerely hope that my colleagues will act as a united voice and take the first of many steps to provide relief to the American people from the many burdens brought about by ObamaCare.

INDEPENDENT LIVING ENHANCEMENT ACT

(Ms. MICHELLE LUJAN GRISHAM of New Mexico asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, on Veterans Day, I had the honor of speaking at a veterans ceremony in Albuquerque, where I was reminded of our solemn responsibility that we have as lawmakers to do everything we can do to stand up for those who stand up for us.

That is why last month I introduced the Veterans' Independent Living Enhancement Act, bipartisan legislation that will help disabled veterans live independently and participate in family and community life.

Currently, only 2,700 veterans in the entire country can enroll in the VA's highly successful Independent Living Program each year. When you compare that to the 2.6 million veterans of the Iraq and Afghanistan wars alone, it is clear that this number is far too low, preventing veterans from getting the services and support they need.

My bill, which has both Democratic and Republican cosponsors, along with the support of a dozen different veterans and health organizations, would remove this arbitrary cap so that every veteran who can participate in it would benefit from the Independent Living Program.

Mr. Speaker, I urge the House to fulfill its responsibility to our Nation's veterans and their families and take up this commonsense, bipartisan legislation.

OBAMACARE

(Mr. MCCARTHY of California asked and was given permission to address the House for 1 minute.)

Mr. MCCARTHY of California. Mr. Speaker, the President's announcement today does little to change the need for Congress to act.

The President's promise of "if you like your plan, you can keep it," is an empty promise. Sadly, 1 million Californians are now finding out firsthand in the form of a letter that their current plan has been canceled.

One of those 1 million Californians happens to be a constituent of mine from Bakersfield, California. He wrote me recently to tell me how ObamaCare has failed him. He writes:

Our youngest son was born with a rare genetic condition that results in severe mental retardation, an inability to walk or talk, and a need to be tube-fed directly into a surgically implanted port in his stomach.

Our longtime insurance carrier, Kaiser Permanente, has been great about caring for our son, who requires 24-hour care and special medication and formulas, all of which are very expensive.

Well, we just learned today that our previous coverage, not cheap by any means, with a premium of nearly \$1,000 a month, is no longer available, and that a far inferior replacement plan with less coverage and more out-of-pocket exposure will cost \$626 a month more, bringing our total to over \$1,600 a month.

With the added out-of-pocket expenses, we anticipate for his care in the coming year we expect to pay about \$24,000 more for care next year than this year, all thanks to ACA.

That is why we must take up and pass Keep Your Health Plan Act, and we ask the Democrats to join with us, to keep a pledge, to keep a promise, and stop increasing the cost for the constituents.

OBAMACARE

(Mrs. CAPPS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPPS. Mr. Speaker, I rise to tell the story of one of my constituents' experiences with the Affordable Care Act, Allan, from Santa Barbara County.

Prior to the Affordable Care Act, his wife was paying \$20,000 a year in insurance premiums. She has a preexisting condition. Even though it costs so much, she was thankful to have any coverage at all.

When Covered California, our online marketplace, opened, she made a call, looked at her options, and found a plan that works for her. This plan saved them \$8,000 a year, and it was a much better plan.

We know that the rollout nationally has been sloppy, that the law is not perfect, and that there are real issues we must fix. We must fix those problems without diminishing the true benefits the law is giving to families in my district and across the country. So now is the time to work together to ensure all Americans have access to quality, affordable health care.

OBAMACARE

(Mr. UPTON asked and was given permission to address the House for 1 minute.)

Mr. UPTON. Mr. Speaker, for the last 3 years, the President personally promised that if they liked their current health care plan, that they could keep it "no matter what," period.

But cancellation notices are now arriving in millions of mailboxes across

the country. In the great State of Michigan, some 225,000 folks will see their plans terminated because of this law. That is twice the number of people who have even tried to select a plan nationwide.

I have heard from countless families back home who took the President at his word. They are upset—yes, they are—and worried about how they are going to make ends meet.

A self-employed family of three in Bangor, Michigan, had purchased their own insurance for more than 30 years. Their BlueCross/BlueShield plan was working well, had no deductible, a \$750 monthly premium. To replace it, the premium is going to nearly double to \$1,393 and their deductible will jump to \$2,800. In their own words, they told us, they had been thrown under the bus. Sadly, they are not alone.

Tomorrow, we will vote on the Keep Your Health Plan Act, a straightforward, 1-page bill that says if you like your coverage, you ought to be able to keep it.

Let's keep that promise.

OBAMACARE

(Mr. CARTWRIGHT asked and was given permission to address the House for 1 minute.)

Mr. CARTWRIGHT. Mr. Speaker, I rise to share with you the story of a couple from Catasauqua, Pennsylvania, the Zakoses.

In a one-on-one session last Monday, that is, a week ago Monday, Beverly and Bob Zakos of Catasauqua sat as the navigator, Mr. Hartman, worked online through their application with them. This time, although they had had a prior bad experience, the online connection worked "like a charm," Hartman said. Once it is finished, the Zakoses will get a plan that will be more than \$500 a month less expensive than the COBRA coverage they had been purchasing for \$1,200, even without subsidies.

At 62 years old, Mr. Zakos is hoping that with some adjustments to his income and his wife's Medicare, he can qualify for hundreds more a month in subsidies. I take that from the Allentown Morning Call.

OBAMACARE

(Mrs. WALORSKI asked and was given permission to address the House for 1 minute.)

Mrs. WALORSKI. Mr. Speaker, I am pleased to cosponsor the Keep Your Health Plan Act to make sure individuals can keep the health care plans they like and need.

I have asked Hoosiers in the State of Indiana to share their stories with me about their experiences with ObamaCare. The stories are shocking.

Kathryn from South Bend got this letter from her insurance company stating that her plan will be canceled. Her monthly payments will increase from \$186 per month to \$329 per month—nearly double.

Kathy from Elkhart is a cancer patient undergoing chemotherapy. Under ObamaCare, she now has to pay over \$1,200 a month just for her own coverage.

Barton, a small business owner, said his group premiums will increase up to 80 percent this year.

These are serious problems causing incredible hardships for the very people we represent.

It is time to work on commonsense reforms that will lower health care costs and improve the quality of care for our constituents.

If we work together, we can get it done.

JUST KEEP TRYING

(Mr. DANNY K. DAVIS of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, Kathy Kanak can be persistent. Late last Wednesday, the 57-year-old of Libertyville became one of the first known enrollees of health insurance at the glitch-stricken online marketplace operated by the Federal Government for 36 States, including Illinois. "I just kept trying," she said. "Tell people to just keep trying, and they will get in eventually."

With Federal tax credits, the Kanaks will pay about \$260 a month in premiums less than what they paid before. They will be able to retain their family doctor and their dentist, and their annual deductible will drop to \$1,500 from \$5,000.

Just keep trying.

□ 1530

OBAMACARE

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, the House of Representatives has voted numerous times to repeal ObamaCare, but the President finally admitted today that ObamaCare is just not working. And so to save his flawed legislation, he has decided to selectively enforce the law, the individual mandate, the idea that you can keep your own insurance. He says he won't enforce the fine for noncompliance for 1 year.

His method is unconstitutional. The Constitution requires Congress to write, rewrite, and amend laws. No President can just use administrative discretion to not enforce laws or change the law. Administrative discretion is just not mentioned in the Constitution. Selective enforcement violates the 14th Amendment.

No President can just administratively change any law. What's next? Is he going to raise taxes by administrative order?

Congress must write the law. The President must enforce the law.

The House will address this very issue legally tomorrow by bringing up

legislation that now the President seems to support. I assume the former constitutional law professor will sign on this excellent legislation that you can keep your insurance if you like it.

And that's just the way it is.

OBAMACARE

(Mr. ROTHFUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTHFUS. Mr. Speaker, over 200,000 Pennsylvanians have been notified that they will lose their plans because of President Obama's health care law. What these numbers don't tell you are the stories of hardworking western Pennsylvanians like Don and Karen from Johnstown.

Don is a Marine Corps veteran and former coal miner. He and Karen run a ministry that helps people in developing countries. Don recently let me know that he will lose his plan. He said:

I specifically bought a health plan that met my needs. I liked my plan very much and it was something I could afford.

When Don and Karen were able to get onto the Web site, the plan he was offered had a deductible of more than \$6,000. In Don's words, this is "ridiculous and unaffordable."

Unfortunately, their story is not unique. We need health care reform that works for Don and Karen and the rest of the American people. The Empowering Patients First Act and the American Health Care Reform Act provide a good place to start and a better way on health care reform.

OBAMACARE

(Mr. MULLIN asked and was given permission to address the House for 1 minute.)

Mr. MULLIN. Mr. Speaker, I rise today to say enough is enough. Enough of the rhetoric. Enough of the dishonesty.

Promises have been broken. We face critical situations that need to be made right. Countless Americans, and many within the Second District of Oklahoma, are going to their mailboxes only to learn that the health insurance plan they liked is being canceled.

In the House, we have chosen to listen to the American people through the Keep Your Health Plan Act. Individuals can actually keep the plan they like, and we can clean up the damage done by this administration's failures.

Aside from the consequences on individuals, business owners like me also face mounting regulations and penalties as a result of ObamaCare. Small businesses provide stability to our economy and employ millions of Americans. That stability has been jeopardized by the result of ObamaCare.

I will not sit back and watch Americans be subject to empty promises with

no solution in sight. I encourage my colleagues to join me in saying enough is enough and vote in support of the Keep Your Health Plan Act.

OBAMACARE

(Mr. GARDNER asked and was given permission to address the House for 1 minute.)

Mr. GARDNER. Mr. Speaker, as my colleagues today have already pointed out, the President made this promise to the American people:

If you like your health care plan, you will be able to keep your health care plan. Period.

I have in my hand a letter sent to my office from Noel, from Akron, Colorado, in my district. This is, in part, what it says:

I am a 37-year-old automotive mechanic in the family business, volunteer firefighter, devout Catholic. My wife, Heather, is a 33-year-old third grade teacher. Our daughter is 2 years old, our son is 1 year old, and our third child is due in March. I recently received a letter from Rocky Mountain Health Plan stating that my existing policy is canceled as of January 1, 2014, due to mandated government policies.

250,000 Coloradans have lost their insurance. That is more people than have now signed up across this country, nationwide, for ObamaCare.

Noel, you are not alone. I join you because I too lost my health insurance when I chose to opt out of the congressional coverage, one of the 250,000 people that lost our coverage. And it is time for this President to uphold his promise to the American people.

OBAMACARE

(Mr. BUCSHON asked and was given permission to address the House for 1 minute.)

Mr. BUCSHON. Mr. Speaker, as a physician, my goal is to make certain that every American has access to quality, affordable health care.

The President and congressional Democrats promised that you can keep your health insurance if you like it. Well, we learned yesterday that in my home State of Indiana, only 701 Hoosiers have signed up successfully for the Affordable Care Act, while over 108,000 Hoosiers have had their current plans canceled. I think the people of Indiana know this promise has not been kept.

Mary, from Evansville, Indiana, wrote to me about this very thing. She said:

Our insurance is excellent. I had a heart attack a year ago. We met our deductible this year, but insurance has paid for everything recommended, 2 months of cardiac rehab, prescriptions, and even more surgery. My insurance and my doctors saved my life, and now I am at risk of losing both.

On Facebook, Andrea wrote that she was able to extend her plan for her and her son till next December, then it

would be canceled. She went on to say, "What happened to if you want to keep your health care, you can?"

And, finally, Allen summed up his frustration in one sentence:

I will not have insurance beginning January 1. End of story.

Mr. Speaker, these are real stories that affect real people, hardworking families just trying to get by.

Mr. Speaker, we need to hold the President and congressional Democrats to their promise.

OBAMACARE

(Ms. JENKINS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JENKINS. Mr. Speaker, across Kansas, folks are struggling from the effects of ObamaCare. This cancellation letter is from Greg and Linda in Osage City, who wrote to tell me their son was losing his health care plan.

Linda spent hours each night for weeks trying to sign up for a new plan on the Web site. She tried the online chat. She tried calling the number, and no one could answer her questions.

They were forced to add their son to Greg's more expensive employer plan, and now their son's health insurance bill is going up 50 percent each month.

After years of knowing about these problems, today the President tried to make good on his promise: if you like your plan, you can keep it. But for Greg and Linda, it is likely too late. The deadline to switch to Greg's employer plan just passed. They had no good options.

We must continue to work for hardworking American families who are paying the price for this unworkable law.

OBAMACARE

(Mr. HECK of Nevada asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HECK of Nevada. Mr. Speaker, "If you like your health care plan, you can keep it. Period. If you like your doctor, you can keep him. Period."

We all remember when we heard those words. Here is an article from today's Las Vegas Review Journal. Nearly 25,000 Nevadans lose insurance plans under ObamaCare. That is roughly 27 percent of the individual market in that State.

One of those individuals is Janet. Janet is 55 years old and battling recurrent cancer. She has had the same insurance policy for 11 years. For 11 years that policy and those doctors have taken care of her and have kept her alive.

She is currently battling a recurrence, undergoing chemotherapy, and she received this letter from her insurer on September 25:

We would like to take this opportunity to thank you for allowing us to be your health

insurance carrier. We are writing to advise you that, due to the passage of the Federal Patient Protection and Affordable Care Act, effective December 31, 2013, your standard or basic individual health plan will be discontinued and terminated. You will no longer be able to continue coverage under this benefit plan as of this date.

As Janet valiantly battles her disease, the last thing she needs is the added stress of wondering about her insurance coverage.

Mr. President, it is time that Americans are allowed to keep their health care plan. Period.

OBAMACARE

(Mr. CONAWAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONAWAY. Mr. Speaker, Peter Ertling is a 24-year-old from Midland, Texas, who has done everything he is supposed to do. When he was 18 he began working in the oil fields as a roustabout; and through hard work and perseverance, he eventually worked his way up to field operations manager.

Four years ago, he married a beautiful young lady and they started a family. He now has three small boys, and there is a fourth one on the way.

But, Mr. Speaker, he is now in a bad position because of bad calls made by those lawmakers who voted for the Affordable Care Act and the President who signed it into law. Thanks to ObamaCare, his company, in the force of a 40 percent increase in rates, has switched their health insurance plan.

The kicker is that Peter's wife is halfway through the pregnancy with their fourth child. His wife's doctor is not a part of the new insurance plan, and they are going to have to spend an extra \$18,000 out of pocket to stay with the doctor they like and the doctor they were promised they could keep. This is a broken promise that has turned what should be a joyful and momentous occasion into a nightmare.

As he said to one of my staff:

I am 24 years old. At my age and at this point in my career, this is not something that I should have to worry about.

Mr. Speaker, this is not an intellectual exercise we engage in. ObamaCare is causing major problems for hardworking people like Peter and his wife in the 11th District of Texas. His wife is in tears over this issue.

The American Dream that he was working so hard to provide for his family has turned into a nightmare because of a bad law. This is unacceptable, and it is inexcusable.

OBAMACARE

(Mr. STIVERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STIVERS. Mr. Speaker, 3.5 million Americans have seen their health care plans canceled under the Afford-

able Care Act. I've personally heard from many constituents in my district who are seeing their health care plans canceled.

For example, Anthony, who is a small business owner in my district, got these letters from his insurance plan saying that his plan would be canceled. As a result of that, there is a new plan that is available to him, but his monthly cost goes up by a little over 80 percent, and that is low compared to some.

He is in the process of building a business, and he just hired his first employee. He told me he is scared to death to hire another employee because he just got his health insurance canceled and the cost doubled. It is just another story of how this law is hurting people and stifling job creation.

I would like to ask all my colleagues to join me in supporting Chairman UPTON's bill, the Keep Your Health Plan Act. I urge all of you to support it.

OBAMACARE

(Mr. BARR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARR. Mr. Speaker, for the last 4 years, President Obama repeatedly promised the American people that if you like your health care plan, you can keep it. But for Melody in Lexington, Kentucky, that is simply not true.

Melody received a notice that her health care plan was no longer good enough under ObamaCare. And when Melody looked into options for new insurance, like so many other Americans, she found out that her family's insurance costs would go up by 250 percent, and their deductible would increase by \$2,000.

Melody, in this email, told me:

We do not qualify for any premium assistance, even though we are a family of three living on a single income. We are more likely to go without health care coverage because our premiums are going to cost more per year than we would wind up spending on medical expenses without insurance.

Mr. Speaker, this is not about politics. This is about real people in our districts that are being harmed by ObamaCare. The American people don't need apologies. They don't need temporary administrative waivers. They need permanent solutions that will protect hardworking Americans from the coverage cancellations, loss of access to doctors, and premium spikes.

It is time for the President to keep his promise and allow Americans who like their health care plans to keep them.

OBAMACARE

(Mr. DAINES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DAINES. Mr. Speaker, President Obama promised if you like your

health care plan, you can keep your health care plan; but for tens of thousands of Montanans, his words are nothing more than a broken promise that has resulted in canceled insurance plans and rising health care costs.

I have already heard from hundreds of Montanans who are looking for relief from ObamaCare; and, unfortunately, the President's recent announcement isn't a long-term fix; nor does it address the core problems with this failed law.

Mr. Speaker, this is called the people's House, and I want to share the story of the people of Montana tonight in this body.

Dean and Summer, from Flathead County, who have an autistic son and a daughter with muscular dystrophy, were just notified, as I spoke with the mom last week on the phone, that their rates are going up \$4,500 a year because of ObamaCare.

Or take, for example, Jim, a business owner in Troy, Montana, who will need to cut employee hours to avoid paying the ObamaCare fine and keep his business afloat.

Or Anne Marie in Miles City, Montana, whose family is facing an additional \$3,000 per year in health care costs due to increased premiums and deductibles.

Or Paula, a health care provider in Kalispell, who is questioning the viability of her private practice and her ability to continue providing care to many of her patients.

Montanans deserve a permanent solution, not a short-term, politically driven patch. I will continue fighting to fully repeal ObamaCare and working toward real solutions that protect Montanans' access to their doctors and the health care plans they want.

□ 1545

LET THE AMERICAN PEOPLE KEEP THEIR HEALTH CARE PLAN

(Mrs. MILLER of Michigan asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MILLER of Michigan. Mr. Speaker, President Obama misled the American people about ObamaCare, and now he has admitted it.

And here is a letter to me from a small business owner in my district:

My husband and I have a small medical education business, and ever since ObamaCare passed, our business has been cut in half. Doctors are not spending money on education, so for the last 4 years, our business has really suffered.

Then we were told we could keep our insurance. We had good insurance, not junk. We currently paid \$514 a month with a \$2,000 deductible. We were canceled as of 12/31/13. To get anything near what we had, we will have to pay \$1,900 a month, which we cannot afford. So much for affordable health care.

This is the first time in 30 years that we might not be able to have health insurance. We have always run our life not depending on the government for handouts, and now we are losing our insurance. I ask you, what are

we to do? Americans are suffering. This is just wrong. Yes, I believe that something needed to be done, but not this.

Mr. Speaker, it is time to keep the promise to the American people.

The SPEAKER pro tempore (Mr. COLLINS of New York). Members are reminded to refrain from engaging in personalities toward the President, such as alleging that he misled the public.

OBAMACARE'S IMPACT IN ARKANSAS

(Mr. WOMACK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WOMACK. Mr. Speaker, I rise today to share the realities of ObamaCare in my district, the Third District of Arkansas. Health insurance enrollment through www.healthcare.gov can be described as dismal, at best. Only an embarrassing 250 Arkansans have managed to enroll.

Shawn Kispert, one of my constituents from Fort Smith, and her husband are self-employed and have spent over 64 hours on www.healthcare.gov attempting to sign up for the insurance. ObamaCare requires them to purchase. She then tried to sign up via telephone. That was also fruitless.

The very few Arkansans that have successfully logged on have found, in over 60 percent of the State, only one or two provider options offering plans that increase their premiums by as much as 600 percent.

Rod Rogers of Sulphur Springs will see his family's insurance premiums go from \$248 to \$876 a month. Jeff Asher of Russellville is facing budget-busting monthly premiums of over \$900.

In October, my fellow Arkansas Republicans and I wrote to Secretary Sebelius to ask for more information on ObamaCare's effect on Arkansans. Much like the pleas from hardworking taxpayers asking for relief from the law's suffocating regulations and overbearing mandates, our request was ignored.

But we don't need a response from the administration to tell us what I am hearing from my constituents: ObamaCare is raising the cost of health care, creating uncertainty in Arkansas, and hurting Americans. We need to replace it with real reforms and focus on the patient, not the government.

OBAMACARE POLICY CANCELATIONS

(Mr. CRAWFORD asked and was given permission to address the House for 1 minute.)

Mr. CRAWFORD. Mr. Speaker, the Mershon family of Gassville, Arkansas, is yet another tragic example of the terrible toll the ObamaCare law is taking on the American people. Small business owners and young parents, this couple has never asked their government for anything more than just

to let them make a good life for their kids. Here are their words:

We regret to inform you that we have lost our health care coverage. It was not ObamaCare compliant. Granted, it wasn't Cadillac-style insurance, but it was all we needed. So we go to the Web site. "Sticker shock" does not begin to cover how we felt. This is an absolute outrage. We counted on what was assured to us, promised to us—that our insurance would stay intact, period. Our shoestring budget has now turned to floss. Seriously, it is beans and cornbread time.

Mr. Speaker, a politically motivated administrative fix does nothing to solve the underlying issues with this disastrous law. Sadly, it looks like it may be beans and cornbread time for millions of families across our country. Is this really the affordable care we were promised?

OBAMACARE

(Mr. FLEISCHMANN asked and was given permission to address the House for 1 minute.)

Mr. FLEISCHMANN. Mr. Speaker, I rise in support of the 3.5 million people who have, to date, lost their health care coverage thanks to ObamaCare and in support of the reported 10 million Americans who could lose their coverage between now and the end of the year.

Mr. Speaker, President Obama promised again and again that Americans who liked their health care plans would be able to keep them. Well, we know now that is simply not the case.

In my hometown of Ooltewah, Tennessee, Lynn Davis, who moved to Tennessee to care for her elderly parents, had health care coverage she liked and could afford. Now her plan is going away, and she is likely to be paying as much as \$300 more per month. That is an additional \$3,600 per year for something she doesn't want and doesn't need.

Mr. Speaker, this isn't right. Our economy is struggling enough as it is. The last thing the American people need is an additional financial burden thrust on them by the Federal Government. ObamaCare needs to go. But at the very least, the President needs to accept the Keep Your Health Plan Act and uphold his promise to the American people.

OBAMACARE

(Mr. PITTENGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTENGER. Mr. Speaker, I rise today on behalf of Martha Staley, a constituent from Cornelius, North Carolina. Ms. Staley is a retired registered nurse and a retired insurance agent. She understands health insurance better than most.

Recently, she received this letter, explaining that her current insurance was canceled due to ObamaCare and

that her new plan would be twice as expensive. Quoting Ms. Staley:

There was nothing in the world wrong with my plan. What they are giving me is worse. I was told by the President that, if I liked my health care plan—which I do—I could keep it. I was told by the President that the ACA would help lower my costs.

President Obama made a simple direct promise to Ms. Staley. Tomorrow, I urge you to join me in voting for H.R. 3350, the Keep Your Health Plan Act. The American people don't need more apologies from the President. They need results.

OBAMACARE

(Mr. MEADOWS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MEADOWS. Mr. Speaker, I rise today in support of H.R. 3350, the Keep Your Health Plan Act. President Obama's promise, if you like your health care plan, you will be able to keep your health care plan, is ringing hollow with some 473,000 North Carolinians whose policies have been canceled.

One of those families is Leon and Liz Russell, small business owners in Waynesville, North Carolina. The Russells were notified that their \$653-a-month insurance premium was going to go to \$1,322 in 2014. This is a yearly increase of over \$8,000. They said to me:

We cannot afford to pay that. Period. What are we expected to do?

For families like the Russells, the House will vote tomorrow on the Keep Your Health Plan Act which will allow millions of Americans to keep their policies without penalty.

Today President Obama announced his intentions to allow insurers to keep offering canceled plans, but a 1-year delay does not make good on his promise. The President needs to be working with Congress to fix his flawed law. Mr. Speaker, we still have a broken Web site, and we still have broken promises.

OBAMACARE IMPACT

(Mr. SOUTHERLAND asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SOUTHERLAND. Mr. Speaker, the problems with this health care law won't be cured with political fixes because this isn't about politics. This is about real people. People like Paul and Victoria Morson of Panama City, Florida, my hometown.

The Morsons are health care providers themselves. By day, they provide care to infants and toddlers struggling with catastrophic injuries, blindness, autism, and other developmental delays. At night, they run a medical courier service, delivering cancer treatments and medications.

Paul and Victoria each received this letter from Florida Blue, informing them that their coverage was being

canceled at the end of this year. Their plans failed to meet the law's requirements for maternity and newborn care and pediatric dental care, despite the fact that the Morsons are in their sixties and have no children.

They were informed their new plans would increase their combined premiums from \$520 to \$1,260 per month. Now Paul and Victoria are trying to figure out how to keep alive a medical practice that has already been reduced from a 10-county area to just one.

That is a real-world impact and a real-world example on this misguided law, and that is why, if you like your plan and you were promised that you could keep your plan, you should be able to keep your plan.

BROKEN PROMISES

(Mrs. BROOKS of Indiana asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BROOKS of Indiana. Mr. Speaker, when President Obama sold the Affordable Care Act to the American people, he told them they could keep their health insurance if they liked it. Sadly, this promise has not been kept.

Jerry, an independent contractor from Westfield, Indiana, recently informed me that his policy will be terminated because of ObamaCare. Jerry has never written a Member of Congress before, but losing his coverage and seeing his premium double has caused him to speak up. For Jerry, ObamaCare is a broken promise.

Victoria, a part-time teacher from the Indianapolis area, reached out on Facebook, explaining that a policy she purchased less than 1 year ago was being canceled. She has tried to get on www.healthcare.gov to see what alternatives are available to her, but the site couldn't even confirm her identity. For Victoria, ObamaCare is a broken promise.

Dwight, a business owner from Indianapolis, received a cancellation notice from his insurer—the one that I am holding here in my hands. Dwight's insurer is one of several insurers that have left the State of Indiana. For Dwight, ObamaCare is a broken promise.

Mr. Speaker, Americans deserve better. They deserve to keep their current insurance. ObamaCare is nothing more than a broken promise.

KEEP YOUR OWN HEALTH CARE

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, millions of Americans are losing their health care plans, their doctors, and their confidence in the President's new health care law. The simple truth is the facts show the law is hurting more people than it is helping. Although the President committed many times that no

one would lose their original health care coverage, millions have.

One of my constituents, Ron from Champlin, has had his health care plan for 21 years. He likes his health plan. It works for him. But Ron, like thousands of other Minnesotans, received a cancellation notice. Another constituent emailed me this morning, saying that his family health care plan was renewed, but the costs were going up \$5,400 this year. And unfortunately, I have heard stories like these from many others in my community.

Mr. Speaker, if you like your health insurance plan, you ought to be able to keep it, and no one should be forced to buy health insurance that isn't right for them or for their families' needs. I will continue to work with all of those that are willing to sit down at the table to have a responsible solution and a real solution to our health care challenges.

OBAMACARE

(Mr. ROONEY asked and was given permission to address the House for 1 minute.)

Mr. ROONEY. Mr. Speaker, I asked my constituents in Florida's 17th District how ObamaCare is affecting them. One said they were upset that their coverage was going to go up by more than \$300. Another said that their insurance plan went from \$204 per month to \$720 per month and that they couldn't afford that. Others reported increases of 100, 200, even 400 percent.

Most devastating were those that are on Medicare Advantage who are set to lose their doctors. One woman lost her primary care doctor of over 20 years. Another whose husband lost five doctors, including a cardiologist that has cared for him since his heart transplant, said that they are not able to keep their doctors or their insurance plans.

Worst of all is the impact on Florida families. One gentleman in my district said:

I have looked at quotes for my family of three. It looks like it will cost us about \$5,000 more a year. I may have to get a divorce so my wife and son can afford the insurance. If I do, they will qualify for discounts we don't get if we are married.

Mr. Speaker, there are stories like this all across Florida and the country. So much for, if you like your plan, you can keep it. Now all of our constituents are suffering.

OBAMACARE

(Mr. POSEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POSEY. Mr. Speaker, the President promised Mr. GRIFFIN in my district and millions of other Americans that, if they wanted to, they could keep their own doctor. Unfortunately, he found out already that is not true.

Americans were told that they could keep their own insurance company if

they liked it. Unfortunately, that is not true either. They were told it would cost less. Unfortunately, that is not true either. They were told it would not create a new tax. Unfortunately, that is not true either. They were told there would not be any rationing. Unfortunately, that is not true either.

It is not right; it is not fair; and it is not good for the United States of America.

□ 1600

OBAMACARE

(Mr. LATTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LATTA. Mr. Speaker, I rise to express my strong support for the Keep Your Health Plan Act. I have heard from many folks across my district that they are losing the health care they have and like because of ObamaCare.

Jeff from Columbus Grove wrote to alert me of the cancellation notice he received indicating his insurance policy is being dropped as of December 1 of this year. He has less than 1 month to find a new plan, which will cost more, have fewer benefits, and have higher deductibles. In addition, his choices for new health care insurance limit his options for the hospital and local doctor he can choose.

Dwight from Arlington wrote that he and his wife received a notice that due to the ACA, his wife's insurance policy would no longer be available. Coverage would double from \$189 per month to \$394, with increased deductibles.

Finally, I have heard from a local township trustee that the township has received notice that their health insurance plan has been canceled because of the ACA.

These are just several examples of the hundreds of stories we are hearing from across my district and the State of Ohio. I remain committed to enacting quality and affordable health care legislation and continuing to work toward ObamaCare's full repeal.

SUPPORTING THE KEEP YOUR HEALTH CARE PLAN ACT OF 2013

(Mr. MARCHANT asked and was given permission to address the House for 1 minute.)

Mr. MARCHANT. Mr. Speaker, despite the President's promise that Americans could keep their health care plans, thousands of my constituents have learned that their health care plans will soon be terminated.

I recently received a letter from David Hager, the CFO of a technology company headquartered in my district. He was informed that the health care plan offered by his company is being canceled. This is a well-liked plan that pays 100 percent of employees' monthly health care premiums, but that is not

good enough for ObamaCare. This company will now be forced to pay 19 percent more for its health care next year, and its employees will have to shell out more money for a new plan that they don't like. This is in addition to the newly created "reinsurance fee" of \$510 a month for the company to pay that has no value at all to the workers. Mr. Hager wants to know why his employees are having their excellent health care plans canceled by ObamaCare.

We must allow Americans to keep the health care plans they like, not just for 1 year—as has been proposed by the President—but permanently.

OBAMACARE

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, it was a gamble for the President to promise the country "if you like your plan, you can keep it," given that his health care proposal amounted to a complete restructuring of our health care system and 16 percent of the American economy.

By now, every Member of this Chamber has received countless letters, phone calls, and emails from millions of Americans who have had their health insurance either canceled or turned unaffordable due to the Affordable Care Act.

This is the devastating reality for this family. Lisa and her husband, Bob, from Punxsutawney, Pennsylvania, are just one of many families in the Fifth District hurt by this law.

Lisa and Bob are self-employed. They are small business owners with five children and bills to pay. After receiving notice their affordable health plan is being canceled, they are now facing cost increases of more than \$20,000 a year for a plan that actually covers less.

Mr. Speaker, the only solution is a transition to health reforms that actually contain cost and expand access. The President's promise alone is certainly not enough.

The American people deserve better.

OBAMACARE

(Mr. RODNEY DAVIS of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today because the American public was sold a false bill of goods.

Rachel, my constituent from Decatur, Illinois, recently contacted my office to let me know that the health care plan she had for her and her daughter is being canceled due to ObamaCare. She was provided with a list of options to replace that plan, but the cheapest would double her monthly premium and increase her deductible to \$6,000 per person.

Mr. Speaker, Rachel and her daughter had a plan, and they liked it. Now, she cannot afford any of the alternatives given to her.

In her note to me, Rachel summed it up best:

We were told we could keep our plan if we liked our plan . . . we are at a loss for how we will continue our health care coverage.

Mr. Speaker, the last 45 days proved what many of us have been saying all along: this law is simply unacceptable, unworkable, and unaffordable. Period.

OBAMACARE

(Mr. LANKFORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANKFORD. Mr. Speaker, the President seems to flippantly just talk about 5 percent of Americans have received a cancellation notice, as if they are just individuals that didn't have a policy that really met his standard for what he was looking for or what the administration is looking for.

That 5 percent equals about 5 million people across the country. They are not just a random statistic. They are families and individuals like the Evans family, and it is not just this one family, but everyone that works in their business received this same letter. Why is that? Because as the President continues to speak about these are just individuals or individual policies, that is not actually true either.

Here is a letter from Aetna that came to the Evans family and every employee in their business. It says:

As you have heard, the Affordable Care Act is bringing many changes to health insurance. One of these changes is that the association groups, which are comprised of small employers, cannot provide coverage as a large group entity. Consequently, Aetna is discontinuing the current plans and has notified your employer.

The plans they have and they have been able to find are a 25 percent increase over last year. Their firm cannot hire additional people next year because of the additional cost.

This is the United States of America. What are we doing telling people what health insurance they can purchase?

KEEP YOUR HEALTH PLAN ACT

(Mr. CARTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER. Mr. Speaker, I am a cosponsor of the Keep Your Health Plan Act.

We had promises to folks that they could keep their health plan and keep their doctors. Obviously, those promises are not being kept. A lot of Americans are finding out this hard news. One of them is Elizabeth Hoffman, this pretty young lady, and her son, from Hutto, Texas, a small town in my district.

Elizabeth is a single mother with a young son. She does not get insurance

through her employer. She got her insurance through Humana at \$167 a month, with a \$2,000 deductible. It was the plan she liked.

She has now lost her plan. Humana has canceled that plan. The plan most similar to the one she has now costs \$404 a month, with a \$2,500 deductible. Needless to say, she is not happy. She is not happy with the Obama plan, and she is not happy with the exchange and is worried about the pharmacy she is going to go to. She is not likely to have insurance next year.

KEEP YOUR HEALTH PLAN ACT

(Mrs. ELLMERS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. ELLMERS. Mr. Speaker, I rise today to speak on behalf of North Carolinians.

I would like to share the story of Marian and Donald from Asheboro, North Carolina. They are among the 160,000 North Carolinians whose policies have been canceled and whose premiums are going up.

She says:

Donald and I both had a \$5,000 deductible individual HSA policy—and both were canceled. Our premiums are more than doubling under the replacement policies. I contacted BlueCross/BlueShield and learned they are required by law to roll us into the “suggested” policy if we do not sign up for something else. They also told me they need no additional authority to remove this premium from our bank account in January.

Because the premium increase will consume our gas and grocery money for the month, I cannot let this happen. My plan is to cancel our health insurance altogether so that there is no policy to “roll over” and face paying the penalty. As of the end of this month, we will be both be uninsured.

Mr. Speaker, there are Marians and Donalds across this country facing the same fate. That is why we will continue to fight for this issue.

OBAMACARE CONSTITUENT STORIES

(Mr. WILLIAMS asked and was given permission to address the House for 1 minute.)

Mr. WILLIAMS. Mr. Speaker, last week, President Obama apologized for not being “clear enough” when he promised to the public that if you like your current health care plan, you can keep it. Now, 3.5 million Americans have already received letters from their insurance companies informing them their current plan will no longer be offered. That number is expected to reach 10 million.

Let me share with you just two stories from the 25th District of Texas.

Robert from Austin, Texas, started a new business this year and has private insurance for his family that costs \$450 a month. His insurer called him this week to let him know his premiums will now be \$1,200 a month—more than his mortgage. What is affordable about that?

Dianne from Driftwood, Texas, is a cancer survivor with an adopted special needs child and believed the President when he said she could keep her and her child’s doctors, but her doctors will no longer accept her insurance.

Mr. Speaker, I have a growing pile of similar letters and emails on my desk, and what I see is a tragedy in America.

Let’s let those who like their health care keep their health care, let’s make positive reforms for those currently uninsured, and let’s restore the financial stability and relief that ObamaCare has robbed from many of us. Americans are hurting.

In God we trust.

KEEP YOUR HEALTH PLAN

(Mr. OLSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSEN. Mr. Speaker, I would like to introduce the American people to Scott and Daniza Wiseman from Missouri City, Texas. These Texans are pictured at the Alamo. They are about to receive God’s greatest gift—their first child, a daughter, with the beautiful name of Mia Isabella.

Daniza is due on December 31, 2013, but instead of being filled only with joy, Scott and Daniza are now full of worry because they have been told they will lose their family health care on January 1, 2014, thanks to ObamaCare.

Neither Scott and Daniza, nor any American, should have to face this ordeal. If my colleagues vote for the Upton bill tomorrow, families like the Wisemans can love the new gift, Mia Isabella, without worry.

I urge my colleagues to support H.R. 3350. Let’s reassure all Americans that if they like their health plan, they can truly keep it.

MR. PRESIDENT, KEEP YOUR PROMISE

(Mr. WALBERG asked and was given permission to address the House for 1 minute.)

Mr. WALBERG. Mr. Speaker, “If you like your health plan, you can keep it” was President Obama’s promise to the people since 2009, but just last week, he attempted to apologize to those losing health insurance because of the law. While I am glad the President is starting to see the truth, the people need more than just apologies for broken promises.

In my Michigan district, a 29-year-old woman named Rosann has been battling sarcoma cancer for over a year. Because of her disease and treatments, she can’t work full time, but through part-time work she has managed to pay all her own bills—that is, until she received a notice that she will lose her current health care coverage because of ObamaCare and have to pay \$225 more a month for a government-approved plan.

Rosann doesn’t need an apology. She just wants to keep her insurance, along

with nearly 5 million other Americans who have lost their coverage in the last 6 weeks alone.

House Republicans remain committed to fighting for Americans and providing fairness for all. The President needs to join our efforts, Mr. Speaker, and keep his promise to the American people.

□ 1615

OBAMACARE

(Mr. LUETKEMEYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LUETKEMEYER. Mr. Speaker, last month in Missouri, only 751 individuals signed up for the Federal exchanges as thousands of other individuals lost their health care. These numbers and the need to institute a fix that allows Americans to keep their current coverage further highlight that the President’s health care law is a failure.

One of my many constituents who has been affected by the law is Stephanie Botkin of Barnhart, Missouri. Stephanie, her husband, and her two teenage youngsters are hardworking, healthy, and they do not use a great deal of health services. She told me that they have been extremely pleased with their current plan because it works for them in terms of cost and coverage. Now, thanks to the President’s health care law, Stephanie has been told that her family cannot keep its current plan, and will be forced to buy a different plan with a premium that costs 66 percent more per month and that has a higher deductible and an exorbitant co-pay, in other words, a plan that costs more and covers less.

Today, the President announced yet another fix to the law, which he technically does not have the authority to do. The fix is for him to sign legislation the House will pass tomorrow that will protect Americans from this damaging law. For Stephanie and her family’s sake and for the good of the American public, it is time the President does the right thing and works with Congress.

OBAMACARE

(Mr. RENACCI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RENACCI. Mr. Speaker, I rise today in strong support of H.R. 3350, the Keep Your Health Plan Act.

While a full repeal of the President’s health care law is in the best interest of the American people, tomorrow’s vote is yet another effort to restore fairness at a time when the administration refuses to acknowledge its broken promises.

The President promised the American people that, if you like your health insurance plan, you can keep it. He promised that, if you like your doctor, you can keep your doctor. Unfortunately, that hasn’t worked out.

Five million Americans, including many of my constituents, have already received cancellation notices. One constituent, Diane from Wooster, has a policy that she likes, but received notice that it would be canceled, and she is now unable to keep her doctor, whom she likes and trusts.

My vote tomorrow is for Diane and for the millions of others like her who want to keep their health care plans that the President had promised they could keep. I ask my colleagues to join me in supporting this legislation.

OBAMACARE

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, for more than 3½ years, President Obama repeatedly promised Tom, who is in this picture, that if he liked his health care plan, he could keep it. Period. In spite of the President's assurances, Tom, along with 3.5 million other Americans, has recently received a cancellation letter from his insurance provider.

You see, Tom, who is a constituent from Allen, Texas, has dwarfism, which makes access to the doctors he likes, trusts, and knows critical to his well-being. Not only has ObamaCare affected his health care, but Tom has said it has taken time, energy and focus away from growing his small business. That even makes the new Pope mad. As Tom's dad often said, If you're not going to be part of the solution, at least don't be part of the problem. Thus far, ObamaCare is the problem.

It is time for President Obama to join our efforts and provide a real solution to this flawed and unworkable law.

DONNA'S DILEMMA

(Mrs. HARTZLER asked and was given permission to address the House for 1 minute.)

Mrs. HARTZLER. Mr. Speaker, I rise today to share a story from Missouri's Fourth District. It is from an individual who had her insurance canceled because of ObamaCare.

Donna from California, Missouri, wrote in, saying that she and her husband received a letter stating that their plan would be canceled next year because it doesn't comply with the law. After researching new plans on the exchanges, she found that their premiums for a comparable plan would increase by \$300 and that their deductible would increase by \$1,300. She says:

I'm not sure I'll be able to pay my medical expenses. That's a "choice" being forced upon me and is limiting my freedoms. I worry about the children whose parents don't take them to the doctor because they can't afford the out-of-pocket expense or they lose everything because they did seek medical help for a critically ill child.

Donna, we are here today to speak out for you and for the millions of Americans who were given a promise. That is why I am proud to stand with my colleagues on both sides of the aisle, to ensure that our President keeps the promise he made to so many Americans. You deserve it.

THE FACES OF OBAMACARE

(Mrs. WAGNER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. WAGNER. Mr. Speaker, in recent weeks I have received countless examples of heartbreaking stories from the people of Missouri's Second Congressional District about how government-run health care is impacting their lives.

Today, I rise to put a face on the failures of ObamaCare and to tell Pam and Dennis Hopmann's story, who hail from Chesterfield, Missouri. This is their story in their own words:

We are livid that President Obama broke his promise to us about keeping our doctors. The Federal Government has very few success stories at running programs, and this is a prime example. Not only am I going to lose my insurance, but I also received a letter that I would lose care from my OB/GYN doctor, whom I have seen for 30 years. I wanted to stay with my plan. There was nothing wrong with it. It was not a "junk" plan, which Obama so frequently likes to call them.

Mr. Speaker, this is just one of millions of examples of real people being hurt by ObamaCare.

OBAMACARE

(Mr. PEARCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PEARCE. Mr. Speaker, the President promised that if you like your plan you can keep it; but he hasn't followed that promise, and he followed up with an administering of the plan that is even worse.

Only 172 people have been able to sign up in the one month's 24-hour access to the Web site that is supposed to allow us to sign up. More people are served popcorn and soft drinks during the halftime of an Artesia football game than have been able to get service through this Web site. The losses are extensive:

In Truth or Consequences, Ron says that he lost his coverage and that the replacement is 350 percent to 550 percent higher;

Jacob in Roswell: his whole road crew lost its plan. It is seeing its premiums triple;

Kathy from Silver City, who is on fixed income-retirement: their premiums are quadrupling;

Jen, on Facebook, who is going from \$300 a month to \$1,500 a month, wonders where she can get the money to pay that.

Maybe you have an answer, Mr. President.

ANOTHER BROKEN OBAMACARE PROMISE

(Mr. SMITH of Missouri asked and was given permission to address the House for 1 minute.)

Mr. SMITH of Missouri. Mr. Speaker, today President Obama announced yet another delay to his health care mandate. The President is picking and choosing which parts of ObamaCare he wants to enforce. The President needs to stop picking winners and losers. ObamaCare is broken and cannot be fixed.

Republicans led the fight against ObamaCare because we knew the mandate would cause individuals to lose their health care. We knew monthly premiums would skyrocket, and we knew the quality of the health care of Americans would suffer.

For over 3 years, President Obama has made numerous statements to American families to sell his misguided health care law, and now he is asking Americans to trust him again.

My constituents in the Show Me State are not buying it, President Obama.

Mr. Speaker, ObamaCare cannot be fixed by delaying portions of the law. ObamaCare needs to be repealed.

OBAMACARE

(Mr. NEUGEBAUER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NEUGEBAUER. Mr. Speaker, I would like to read to you a letter from a woman named Katherine from Levelland. Katherine's daughter, Taylor, has an aggressive form of childhood cancer, which requires treatments in Lubbock and Houston.

Katherine writes:

Along with the expense of her medical treatments, we have the expense of keeping an apartment in Houston and traveling back and forth. My husband owns a small car dealership in Levelland, and we have a private insurance policy. We have had this policy for over 4 years, and we were devastated to find out that Taylor's policy is now being canceled.

President Obama said, If you're one of the 250 million Americans who already has health insurance, you will get to keep your own health insurance.

Unfortunately, we have not been given the choice to keep Taylor's health insurance. I wanted you to know our story so that when you are in Washington you can share it with others.

I wish that Katherine and Taylor's story were unique; but, unfortunately, I receive dozens of emails from constituents who tell me about lost coverage, lower benefits, and higher premiums. They are looking for us to make it right.

I will do everything in my power to fix this so as to ensure that mothers

like Katherine don't have to worry about losing critical coverage for their families.

KEEP THE PROMISE, MR. PRESIDENT

(Mr. JOHNSON of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of Ohio. Mr. Speaker, since 2010, President Obama has touted his well-known phrase: If you like your health care plan, you will be able to keep your health care plan.

The past few weeks have made it very clear that President Obama has failed to keep that promise.

According to the Associated Press, 3.5 million people have already seen their health plans canceled. Constituents from all over eastern and south-eastern Ohio have been contacting my office, notifying me of skyrocketing premiums and canceled health plans.

Take, for instance, Cathy, from my hometown of Marietta, Ohio. Here is the letter she received. She was notified that her plan is not in compliance under the requirements of the ACA and that it would, instead, be rolled over into a better plan. It turns out that the "better" plan increases her premiums from \$670 a month to \$1,600 a month—more than double.

Skyrocketing premiums, canceled plans and a complete takeover of health care do not make health care affordable. The President should keep his promise to the American people, let Congress work to fix this problem and support the Keep Your Health Plan Act.

OBAMACARE

(Mr. SMITH of Nebraska asked and was given permission to address the House for 1 minute.)

Mr. SMITH of Nebraska. Mr. Speaker, I rise today to highlight the impact of the current health care situation of the millions of Americans who are losing their health care coverage, including many in Nebraska's Third District.

Pam Weldin, a self-employed small business woman from Minatare, Nebraska, has a preexisting condition. She has had affordable health insurance coverage which meets her needs, but she just received this letter which explains her current plan will no longer be offered. Pam told me she had great coverage before, which obviously included coverage of her preexisting condition. She has since tried to see what is available through healthcare.gov and the 800 number as well, but has been unsuccessful. As of January 1, she will lose the coverage that she likes.

Like Pam, millions of Americans are learning they are losing their health care plans they were told they could keep. I have heard from many other Nebraskans who are losing their insurance or whose rates have increased so much they cannot afford to keep the plans they currently have.

This is not what the American people want, and both sides need to work together to make this right. I encourage all of my colleagues to support the Keep Your Health Plan Act.

OBAMACARE

(Mr. MARINO asked and was given permission to address the House for 1 minute.)

Mr. MARINO. Mr. Speaker, the President continues to unilaterally implement these politically motivated, piece-by-piece, so-called "fixes," but this law is broken, and it is hurting millions and millions of Americans.

Every day, I hear from more of my constituents who have had their coverage canceled and who have seen their premiums increase. I recently heard from a woman from my hometown of Williamsport, Pennsylvania, who is going to have a baby early next year. She will lose her health care coverage on January 1.

I received a copy of a document from a constituent of mine, Paul from Lackawanna County. It is a notice from the insurance company.

It reads:

It's important that you know that Federal health care reform will require many changes to health insurance plans beginning in 2014. As a result, as of December 31, 2013, the Special Care health insurance plan you have will no longer be offered.

We need to repeal the Affordable Care Act and replace it with health care reform that actually lowers costs and increases access to quality health care.

The President has an obligation to keep his promise. Going back on one's word sets a very poor example for our children, and that is the truth.

□ 1630

OBAMACARE

(Mr. FITZPATRICK asked and was given permission to address the House for 1 minute.)

Mr. FITZPATRICK. Mr. Speaker, the Affordable Care Act is more than a Web site. That is the comforting assurance President Obama is giving to the American people as the continuing train wreck of his law's implementation grinds on. The law is more than a Web site. Unfortunately, that means its flaws extend past the Web site as well. It is bad technology mixed with bad policy. Each day we hear more and more people losing plans they liked despite the President's promise they could keep them.

Recently, I spoke with Scott Randolph, a self-employed father of two in my district, who is feeling the harmful effects head-on. Scott received this notice in the mail that said his insurance plan, which he liked and which worked for him and his two sons, was going to be terminated and replaced with a similar plan at triple the cost. I think Scott said it best when he said:

The President guaranteed me, "If you like your plan, you can keep it." Well, the fact is, I can keep my plan; I just can't afford my plan now.

Mr. President, this is unacceptable. Period. Let's pass the Keep Your Health Plan Act and offer help to the millions of Americans hurt by this broken promise.

OBAMACARE

(Mr. GIBBS asked and was given permission to address the House for 1 minute.)

Mr. GIBBS. This week, Americans, the administration, along with the media, are starting to see the harmful effects of ObamaCare on our country.

Many Ohioans are experiencing sticker shock and are desperately worried if they will have coverage at all and if they will keep their doctor. A constituent recently told me that his hours were cut to part-time in order for his employer to keep the business running. A man from Canton, Ohio, called in and will see his premiums increase by 700 percent due to this harmful law. A single mother of two young boys from Ashland, Ohio, will not be able to afford the increase in price of her premium each month under ObamaCare. When she wrote in, she asked a great question:

If this is the Affordable Care Act, why can I no longer afford my health care insurance?

It seems as though my constituents have more common sense than those who wrote this devastating law.

I, along with my colleagues in the House, remain committed to protecting Americans from this law and ensuring that you are in charge of your health care decisions, not some bureaucrat here in Washington. Whether it is the doctor's office, the gas pump, the dinner table, or in the job market, Washington is standing in the way of hard-working Americans, and it is just not fair.

OBAMACARE

(Mr. LAMALFA asked and was given permission to address the House for 1 minute.)

Mr. LAMALFA. Mr. Speaker, over the past few months, I have heard hundreds of stories from my constituents about the President's health care law and the devastating effects it is having on their families and small businesses. One issue I want to address today is the serious threat ObamaCare is to the rural health care situation in our country.

For my constituents in northern California, we already face a shortage of care and choices. Many families have to turn to bordering States to see a doctor or for emergency room visits. Now we know that the law is actually creating a much larger challenge for rural Americans.

Today I want to share with you a story from a constituent I met just a couple months ago at the Tulalake Fair in Siskiyou County. Patricia

Plass lives with her husband, a self-employed business owner, in a rural border town just inside the California-Oregon State line. Their longtime family doctor is in Oregon, as well as the closest hospital. These letters I have here also point out that they have had their insurance coverage canceled recently, so this notification has thrown them into a tizzy because of the law and their plan has been canceled. They now have to enroll in a plan that they don't like, that is inferior and increasing their costs by hundreds of dollars each month.

Tricia wrote to me and said:

I have been told I will not have coverage for our regular doctor in Oregon that our family has been seeing for years and, of course, our closest hospital which is also in Oregon. We are now living with a constant fear that our new policy under ObamaCare will not even provide coverage when we need it.

Mr. Speaker, this is wrong. Mr. President, it is broken. We need to support a new plan.

OBAMACARE

(Ms. NORTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. NORTON. Mr. Speaker, when the time comes, Members and staff will get their insurance at dhealthlink.com. They will have a good chance to pay less because they will have 267 choices.

In advance, one of my staff members, who has a name-brand policy from our Federal program, went on dhealthlink.com and found that she could get a comparable policy for at least \$100 less with no deductible.

If Republicans want to deal in anecdotes, hers is far more typical than those from the crowd who have gone from 41 repeals to their new strategy of actively sabotaging the Affordable Care Act.

OBAMACARE

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, ObamaCare is a disaster. The President knows it; Congress knows it; and most importantly, the American people now know it.

The President claims to be working with Congress to stop the train wreck the ACA is waging on American families. Actions speak louder than words. It is time for him to engage with House Republicans to find a solution.

We must help Mary in Lexington, South Carolina, whose health care policy premium has already increased 275 percent since the beginning of this year; and Rebecca from Aiken, who will be forced to pay \$600 more a month for the same coverage in January; and Alvin, an uninsured veteran also living in Aiken, who has tried to purchase in-

surance on the government health care Web site but can't afford it because the premium will be higher than his mortgage, utilities, and Internet combined.

This is absurd. For the sake of the middle class, we must replace ObamaCare with commonsense solutions that protect families, provide a safety net, and promote jobs.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

OBAMACARE

(Mr. HUIZENGA of Michigan asked and was given permission to address the House for 1 minute.)

Mr. HUIZENGA of Michigan. Mr. Speaker, at least 225,000 residents of Michigan have—or will shortly—received letters informing them that their current health insurance policies will be canceled because of ObamaCare. To put that number in context, more people in Michigan have had their private health care plans canceled due to ObamaCare than have even selected the private plan nationwide on healthcare.gov.

Adding insult to injury, the dismal enrollment number announced by the administration does not represent an adequate depiction of the ObamaCare experience. Whether it is Nancy from Grant, Barbara from Walker, Terry from Grandville, or David from Twin Lake, my constituents all seem to be sharing the same experience: frustration, followed by exasperation, rounded out with higher costs that they can't afford. We hear you, and I am here for you.

The reality of the ObamaCare "experience" is a Web site that is difficult to navigate—when it actually works—coupled with policy options that result in higher health care costs for Michigan consumers.

I applaud my friend and colleague, FRED UPTON, who is going to be leading a charge to provide a legislative solution for that problem tomorrow. I hope our friends across the aisle will be able to provide that same relief to their constituents, and I hope they will join me in doing so.

OBAMACARE

(Ms. BROWN of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. BROWN of Florida. Mr. Speaker, you can fool some of the people some of the time, but you can't fool all of the people all of the time. The House Republicans have passed a bill 44 times to rescind the health care bill. ObamaCare is because Obama cares. The shutdown cost the American people \$24 billion.

I come from the great State of Florida where the Medicaid extension has not, to this time, been accepted. That means that over a million people—a million people—will not receive health care.

Every time I speak to a group of students at the Florida A&M University, I ask them how many students can stay on their family plan because of ObamaCare? Every single hand goes up.

So let's be clear: the first rollout was the proposal that let over 3 million people stay on their family plan. And the doughnut hole, because Obama cares, we are closing that that was instituted under the Bush administration.

I really do believe to whom God has given much, much is expected. I really do expect more from the people's House than what we have gotten from the Republican leadership.

OBAMACARE

(Mr. CRAMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CRAMER. Mr. Speaker, Wayne and Leann Buchholz operate a ranch near Rhame, North Dakota. They have never been active in politics, but a recent letter from their insurance company has changed all of that, for their letter informed them that they would be losing their health care coverage due to the excessive regulations of ObamaCare.

Mr. Speaker, 36,000 North Dakotans are receiving similar cancellation notices, similar to that of Wayne and Leann. Each of these figures on this poster represents over 1,200 North Dakotans just like Wayne and Leann.

On the other hand, only 30 North Dakotans have been able to sign up for ObamaCare through the first month—not 30,000, not 3,000, not even 300, Mr. Speaker—30. Each figure on this part of the graphic represents one North Dakotan able to sign up.

Mr. Speaker, in North Dakota, like much of America, a man's word is his bond. We must help the President make good on his promise and pass the Keep Your Health Plan Act tomorrow.

IHC HEALTH SOLUTIONS,
INDEPENDENCE HOLDING GROUP,
Phoenix, AZ, September 30, 2013.

Re Companion Life Insurance Company, Discontinuation of your Coverage, Contract Amendment to extend coverage until April 1, 2014

IMPORTANT NOTICE: THIS AFFECTS YOUR INSURANCE CONTRACT RIGHTS. PLEASE READ CAREFULLY.

DEAR LEANN C. BUCHHOLZ: This notice is to inform you that Companion Life Insurance Company ("Companion Life") will be exiting the individual major medical insurance market in North Dakota effective March 31, 2014 at midnight. This decision was prompted by the increased regulation since the federal government's passage of its recent federal health care reform, commonly referred to as the Patient Protection Affordable Care Act ("PPACA"). The increased regulation will make it difficult for Companion Life to continue to operate and compete meaningfully in North Dakota's individual major medical market. As such, your referenced insurance coverage will terminate on your first premium due date on or after our March 31, 2014 market exit (date reflected above), or earlier if your premium is not received when due.

Your current coverage with Companion Life has an annual anniversary date on or after December 31, 2013 but before March 31, 2014. Typically, you would receive a renewal notice from us prior to this date with an offer to renew with new rates. However, since we are exiting the market, we cannot offer you a renewal on a PPACA compliant major medical product in calendar year 2014. Instead, we will extend your current coverage from your policy anniversary date until your premium due date on or after March 31, 2014. This coverage will be provided at your current rate. Please find enclosed an amendatory endorsement to include with your current insurance contract indicating your health insurance coverage's new termination date as of April 1, 2014.

We are pleased to inform you that there are many options for you to secure health insurance coverage after your coverage termination date with us or prior. You may purchase insurance in the general marketplace or through the Federal Exchange. As brief background for you, PPACA created a new mechanism for purchasing insurance coverage called Exchanges or Marketplaces, which are entities that have been or will be set up in states to create an organized and competitive market for health insurance for qualified individuals and employers. Please go to <https://www.healthcare.gov/marketplace/individual> for information concerning health insurance coverage on the Federal Exchange.

Please remember that your health insurance with Companion Life is effective until April 1, 2014, as long your premiums are paid through that date. It has been our pleasure to serve as your health insurer. If you have any questions or concerns, please feel free to contact us at 1-800-518-4510 or by email at questions@ihcgroup.com

Sincerely,

COMPANION LIFE INSURANCE COMPANY.

COMPANION LIFE INSURANCE COMPANY,
Columbia, South Carolina.

AMENDMENT 1

It is understood and agreed that the Policy and Certificate to which this Amendatory Endorsement is attached is amended as follows with respect to Covered/Insured Persons residing in North Dakota as of the effective date of their certificate evidencing their insurance coverage under the Policy:

Any Renewability or Termination of Insurance provisions of Your Certificate/Policy that indicates that insurance coverage will terminate following 180 days after Our decision to discontinue offering health insurance in the individual market in the state your coverage was issued is amended by adding the following:

The health insurance coverage for You and any Dependents covered under the Policy will terminate on April 1, 2014. Pursuant to the terms of the Policy, We will continue Your health insurance coverage at the current rates and benefits for Insured/Covered Persons up to this termination date, unless coverage terminates earlier in accordance with the Policy's provisions regarding termination due to the non-payment of required premiums when due.

This Amendatory Endorsement is endorsed and made part of the Policy and Certificate to which it is attached as of October 1, 2013.

This Amendatory Endorsement is subject to all provisions of the Policy which are not in conflict with the provisions of this Amendatory Endorsement. Nothing in this Amendatory Endorsement will be held to vary, alter, waive, or extend any of the terms, conditions, provisions, agreements, or limitations of the Policy other than stated above.

In Witness Whereof, the Insurance Company has caused this Amendatory Endorsement to be signed by its President.

TRESCOTT N. HINTON, Jr.,
President.

OBAMACARE

(Mr. CAMP asked and was given permission to address the House for 1 minute.)

Mr. CAMP. Mr. Speaker, today I rise on behalf of the people I represent in Michigan's Fourth District who are feeling the real impact of ObamaCare. They are paying more for health care, losing the coverage they have and like, and having their work hours cut.

I have been receiving calls, emails, and letters from people worried about the negative impacts ObamaCare is having on their lives.

Jeff Frazier from Midland, Michigan, wrote:

My wife has been recently informed by her insurance carrier that her health care policy "does not comply with the Affordable Care Act." Now we must purchase a new policy to get the same coverage at an 18 percent increase in our premium. So, what happened to the "if you like your insurance, you can keep it"?

Unfortunately, Jeff's story isn't unique. He and an estimated 225,000 people in the State of Michigan and millions of Americans across the country are losing the coverage they have and like because of ObamaCare.

I urge my colleagues to join me in standing up against higher health care costs, dropped coverage, and reduced work hours that are hurting the constituents I serve in Michigan and Americans all across the country.

OBAMACARE

(Mr. LANCE asked and was given permission to address the House for 1 minute.)

Mr. LANCE. Mr. Speaker, New Jersey's largest newspaper, the Newark Star-Ledger, yesterday reported that fewer than 27,000 people have signed up for private health care insurance via the troubled ObamaCare Web site, healthcare.gov. The number includes just 741 in New Jersey.

These enrollment numbers are being dramatically outpaced by the millions of Americans, including at least 800,000 New Jerseyans, who are losing their plans because of the law, despite the President's promise they would not.

The House will vote tomorrow on the Keep Your Health Plan Act that will provide much-needed certainty and relief to Americans who have lost or are about to lose their current health care coverage.

I encourage President Obama to keep his promise to the American people and join Members of Congress on both sides of the aisle in support of letting those who like their current health care plans keep them under the law.

□ 1645

OBAMACARE

(Mr. KELLY of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. KELLY of Pennsylvania. Mr. Speaker, sometimes the truth hurts, and for a quarter of a million Pennsylvanians, the truth really hurts because they are losing their health care plans.

Mike McKean and his father own and operate Titan Tool Company. It is a small business in Fairview, Pennsylvania, that their family has run since 1920. In his letter to our office, Michael wrote:

My dad has always prided himself of offering 100 percent health care coverage for every single one of our associates. It has been this way for as long as I can remember.

However, under ObamaCare, their yearly premium will rise 113.9 percent, taking the cost from \$120,000 to \$227,000. One of his employees will see her monthly premium go from just over \$300 to \$940. That is a 249 percent increase.

In Michael's words:

This type of increase is too much for the company to weather. Next year, for the first time in decades, my father and my family are forced to drop insurance coverage for our employees.

He also added:

Being the generous and concerned person my father is, he said he would give each employee this year's cost of premiums to offset the rise in costs, but beyond that, he cannot afford to do any more. This means that, next December, we will all have to pay enormous increases out of our pocket for poorer coverage.

That happens to be the truth, and not one that they have to go back on later on.

OBAMACARE

(Mr. NUNNELEE asked and was given permission to address the House for 1 minute.)

Mr. NUNNELEE. Mr. Speaker, they said implementing ObamaCare is going to be a train wreck, and that train wreck went right through the Etta community in Union County, Mississippi, and ran right over Reverend Bobby Irvin. Reverend Irvin tells me:

I had health insurance. I was happy with my coverage. Specifically, it is a coverage that I picked out and I selected, and my policy was canceled because it did not meet ObamaCare guidelines.

Reverend Irvin was made a promise by the President of the United States: if you like your health insurance, you can keep it. That promise has been broken. It is vital that we pass the Keep Your Health Plan Act so this House can step up and honor the promise that was made to Reverend Irvin and those Americans like him: if you like your health insurance, you can keep it.

OBAMACARE

(Mr. MURPHY of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. MURPHY of Pennsylvania. Mr. Speaker, Dan from Greensburg, Pennsylvania, wrote to me. He said:

I am having very serious difficulties with the new health care. I called a place from the marketplace today inquiring about an affordable plan for my wife. I currently pay about \$300 per month through my employer just for her coverage, but she has lost her job. The marketplace premium for her beginning in January will be over \$800 per month. How do you think this is affordable coverage? This is a 200 percent increase, or more, for me. My wife and I both have bills to pay. I will lose my house if I pay this outrageous premium. I will find it to be necessary to drop her from coverage. I would have been willing to do my share in this, but this increase is way beyond my reach. I will not be able to cover my wife now. I am 62 years old. I had a major heart attack 3 years ago. I was revived four times during my heart attack and then had complications which required emergency abdominal surgery to save my life again. I am back to work, but I have medical expenses, and now my premium just for my wife is doubling. I am sorry for being angry, but I feel cheated. I am not able to afford the outrageous premiums, and I will not be able to cover my wife.

Mr. Speaker, this breaks your heart.

OBAMACARE

(Mr. MEEKS asked and was given permission to address the House for 1 minute.)

Mr. MEEKS. Mr. Speaker, really I felt compelled to come because let's really talk about what this is. This is the 44th time to try to deny people access to health care. That is what it is.

If you listened to some of my colleagues, you would think that all Americans are being denied health care coverage. Number one, we are talking about 5 percent, and 5 percent is too much. So what the President did today was to say that we are going to make sure that those individuals who have lost their coverage, if the insurance companies will stand up, they will do the right thing.

What this says is that what we know is that there are 36 States, most of them headed by Republicans, that have already decided they didn't want to get involved; they didn't want State exchanges. So they wanted to make sure to deny individuals who have pre-existing diseases.

You could come and talk about the people who are saying, Thank you, Mr. President, for the Affordable Care Act. Because of my preexisting condition, I had been turned down by insurance companies. With Affordable Care, that won't happen.

Young people who don't have insurance, up to age 26, they will still be covered because of the Affordable Care Act.

What this is is a process and an attempt to try to end the Affordable Care Act for the 44th time. Let's not do that. Let's give the people the right to health care.

OBAMACARE

(Mr. BISHOP of Utah asked and was given permission to address the House for 1 minute.)

Mr. BISHOP of Utah. Mr. Speaker, in 2003, 5-year-old Isabelle Jane was diagnosed with leukemia, a disease that has driven the decisions her family has made since that time on where to live, what doctors to have, what insurance to gain. She had daily chemotherapy for 3 years and is now in remission.

But 18 months ago, she started to have side effects from this disease. It affected her heart, her bones, and her cognitive processing. Since that time, and since ObamaCare was passed, her insurance rates have more than doubled, and she was told this year that their insurance would be canceled by the end of this year. As Isabelle Jane's mother wrote:

The Affordable Care Act has seriously threatened my family's way of life. For over 10 years, we have had the coverage we have needed to care for our family. I defy anyone who says the insurance we currently have is not enough. My daughter is living proof that it is.

Mr. Speaker, these people are being hurt by the present system, and that needs to change.

OBAMACARE

(Mr. McCLINTOCK asked and was given permission to address the House for 1 minute.)

Mr. McCLINTOCK. Mr. Speaker, by the government's own numbers, for every American who has found health coverage under ObamaCare since it rolled out, some 50 Americans have lost their health insurance on the individual market, but that doesn't account for the many millions more who are losing employer insurance or are losing wages as a direct result of the Democrats' ObamaCare fiasco.

One such family is the Howard Asbury family in Mariposa, California. Mr. Asbury writes:

I am a retired union carpenter, and I am covered under the union's retiree health plan. When I retired, my wife went to work in the billing department for an ambulance company. Yesterday, she was informed by the owner that he was dropping all health care coverage and cutting all employees below supervisor to part-time. We will be able to enroll her and our two children under my retirement health plan through my union, although this does not address the loss of income. So now we have to pay for her coverage and the children on \$440 less income.

Mr. Speaker, my office is being flooded by such complaints. I have to believe that our colleagues across the aisle are hearing the same things. Why aren't they listening?

OBAMACARE

(Mr. LOBIONDO asked and was given permission to address the House for 1 minute.)

Mr. LOBIONDO. Mr. Speaker, I rise today to indicate, as many of my col-

leagues have, that beyond the so-called glitches and hiccups of the Web site, that the President's health care bill simply is not working. In fact, it is hurting.

Since the President's health care bill was signed into law, I have seen the anxiety, the confusion, and the genuine fear of south Jersey families, employers, employees, and of health care professionals; and for 4 years the conversations around the kitchen table and the water coolers have been about this anxiety and uncertainty. That has turned to real fear—fear and anger.

Terry from Millville told me that both her mother and her mother-in-law had current plans, and they were very happy with them. They were canceled under the President's health care bill, only to be replaced by plans with higher copays and premiums.

Randy from Scullville wrote on my Facebook that his monthly premiums are now \$2,500, a full \$700 more than before.

Lou, who opened a small business less than 2 years ago, hired more than 50 people and is going to have to make them part-time. This simply is not working, and it is wrong.

OBAMACARE

(Mr. HASTINGS of Washington asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, we all heard President Obama say, If you like your health care plan, you can keep, period.

A constituent of mine from Yakima, Gary Bailey, writes:

My wife and I are self-employed. Our provider just sent us a letter telling us that, due to the Affordable Care Act, our policy will no longer be available and we will have to choose a new policy.

He went on to say:

The least expensive policy is double the cost of my original policy, and the deductible went up to \$10,000.

Mr. Speaker, Gary is not alone. Millions of hardworking Americans have lost the insurance they like and can afford. The Keep Your Health Plan Act that we will vote on tomorrow fulfills President Obama's promise, even if he won't.

YAKIMA, WASHINGTON.

REPRESENTATIVE HASTINGS, I have to write to tell you what has just happened to me regarding my health insurance with Regence Blue Shield. My wife and I are self-employed and do not get insurance from our employer. We cannot afford a luxury policy in fact our policy was major catastrophic with a \$3500 deductible. Our provider just sent us a letter telling us that, due to the "Affordable Care Act," our policy will no longer be available and that we will have to choose a new policy.

The least expensive policy is double the cost of my original policy and the deductible went up to \$10,000.

President Obama said that our health care would go down \$2,500. Our cost for one of us went up \$1,632. I am sorry Congressman Hastings, but the President and all the democrat party has not been truthful and you need to

defund Obamacare. Most of America doesn't want it and I can't afford it!

Please listen to your constituents! Thank you for your time.

GARY BAILEY.

OBAMACARE

(Mr. DENHAM asked and was given permission to address the House for 1 minute.)

Mr. DENHAM. Mr. Speaker, all we are asking is the President keeps his word. I have got hundreds of letters now from constituents from all across my entire district.

Nate from Oakdale says:

Before the Affordable Care Act, our health coverage was \$279 a month for me and my wife. We recently got a letter in the mail stating that our plan is no longer available due to the Affordable Care Act and that our premium will be \$434.60 a month, an increase of \$155.60.

Tom from Ceres says:

Farm Bureau has informed me that my med insurance will be canceled in January 2014. My premium will increase 170 percent for now.

Valerie from Denair:

My policy was canceled. In shopping for a new plan, I see that my monthly cost will at least triple for inferior coverage.

These lists go on and on and on.

Dawn from Turlock says:

I just received a letter today from my health care provider, and they have notified us our health care insurance has just doubled.

We owe it to the American people that this does not go on any longer. The President needs to fulfill his promise.

OBAMACARE

(Mr. WENSTRUP asked and was given permission to address the House for 1 minute.)

Mr. WENSTRUP. Mr. Speaker, I rise to give voice to my constituents. While I would expect that ObamaCare's thousands of pages would help at least a handful of people, a sampling of mail coming into any office lets me know that help by the Affordable Care Act is rare.

Steve from Greenfield says he and his wife are in good health with current insurance costing \$485 a month. Under ObamaCare, that goes to roughly \$1,150 a month, a 237 percent increase.

June from Batavia received a letter from UnitedHealthcare. They are discontinuing coverage for most of her family's doctors. And while she says she can handle it, it will be a problem for her husband. He has stage 4 kidney disease and is on dialysis and will soon not have his doctors.

Don from Loveland says:

If the Affordable Care Act is allowed to stand, my family will have to come up with an extra \$6,600 next year. We can't afford that.

Mr. Speaker, from what I am seeing, stress and anxiety are becoming an increasingly common diagnosis, all due

to ObamaCare. The Web site isn't the only problem, Mr. Speaker, the law is the problem.

OBAMACARE

(Mr. MESSER asked and was given permission to address the House for 1 minute.)

Mr. MESSER. Mr. Speaker, once again today the President said to the American people, if you like your health care plan, you can keep it—at least for 1 more year, if you're lucky. The problem is saying something many times does not magically make it come true.

Right now, only 701 people in the State of Indiana have been able to sign up for insurance through the Affordable Care Act exchanges. According to the Indiana Department of Insurance, more than 108,000 Hoosiers will receive or have received cancellation letters.

One of those people is Michael Sturgis of Greensburg. He called my office after receiving a cancellation letter from his insurance company. Michael was told his monthly premium was going to increase from \$397 a month to \$831 a month. His \$5,000 deductible will go up to \$7,300.

That is unacceptable, and it is certainly not affordable. That is why we need to pass H.R. 3350, the Keep Your Health Plan Act of 2013, and let the American people remain in charge of their health care.

□ 1700

OBAMACARE

(Mr. STUTZMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STUTZMAN. Mr. Speaker, millions of Americans find themselves in the heartbreaking situation of losing their health care plans thanks to a broken promise that the White House is not scrambling to try and fix.

Hoosiers like Jared from Woodburn, Indiana, were told that they could keep their plans. Unfortunately, Jared found this cancellation letter in his mailbox on September 23. He is just one of the more than 3.5 million Americans who lost coverage under ObamaCare.

For Jared, the timing couldn't have been worse. In the middle of selling their home and making an offer on another, Jared, his wife, and 1-year-old son were hit with a cancellation letter and the real possibility that their health care costs will become unaffordable.

President Obama's health care law is hurting Hoosiers. If he is serious about helping Americans like Jared, he should start by keeping his promise and signing the Keep Your Health Plan Act as soon as it is passed.

Enough is enough.

ANTHEM BLUE CROSS BLUE SHIELD,
San Antonio, TX, September 23, 2013.

DEAR JARED SCHORTGEN: Anthem Blue Cross and Blue Shield is discontinuing your

individual health benefit plan because it doesn't meet all the requirements of the new health care reform laws (also called the Affordable Care Act). As a convenience to you, we're transitioning you to a health care reform compliant plan upon your renewal date. Your current individual health benefit plan will remain in effect until 01-Jan, 2014.

Don't worry, we've got options for you! We've selected a new plan for you that meets the new requirements. This new plan, ANTHEM CORE DIRECTACCESS WITH HSA-CABP is available at \$669.82. You don't need to do anything; you will automatically transition into your new individual health benefit plan. For additional plan details and to view a copy of the Summary of Benefits and Coverage (SBC) go to sbc.anthem.com/dps/CCD0S6M.

Or, we can help you choose a different plan. Just talk to your Anthem agent, go to anthem.com and click "Changemycoverage", or call a Health Plan Advisor at 855-809-2879 to find a plan that's right for you. You may choose any of the health care reform compliant individual health benefit plans that we offer.

You can also check into whether you're eligible for a government subsidy to help you pay for your health coverage. If you are, you could buy an Anthem plan on the government-run Health Insurance Marketplace (also called the "exchange").

Your current individual health benefit plan is still in effect until 01-Jan, 2014. If you choose to automatically move into the plan we selected for you, payment of the new premium will be considered acceptance into your new plan, ANTHEM CORE DIRECTACCESS WITH HSA-CABP at \$669.82. If your premium is currently withdrawn electronically from your account this will continue upon your transition. If you have questions, please call your Anthem agent or Health Plan Advisor team at 855-809-2879. Representatives are here Monday through Friday, 7:30 a.m.-9:00 p.m. and Saturday 9:00 a.m.-5:00 p.m., Eastern time.

Sincerely,

ROBERT W. HILLMAN, CLU,
President and General Manager,
Anthem Blue Cross and Blue Shield.

OBAMACARE

(Mr. LAMBORN asked and was given permission to address the House for 1 minute.)

Mr. LAMBORN. Mr. Speaker, my office has been flooded with constituents calling to share their Obama horror story.

Take Nicole Butler, for instance, a constituent of mine living in Colorado Springs and a mother of three children. Her family's Humana insurance plan was canceled because it was deemed insufficient under ObamaCare. She is currently paying \$431 per month for what is, in her words, a great plan. She and her husband are insuring their family of five within a tight budget. The cheapest ObamaCare plan she could find would cost her family \$1,003 per month in premiums, more than twice as much. This is the same story for 250,000 other Colorado families who have been canceled.

Mr. Speaker, the American people took our President at his word when he said "If you like your plan, you can keep it."

I look forward to legislation which will give relief to families in Colorado and all over this country.

OBAMACARE

(Mr. STEWART asked and was given permission to address the House for 1 minute.)

Mr. STEWART. Mr. Speaker, we have officially entered la-la land, where the President thinks that by the mere power of his own voice he can turn back time by simply announcing that he will no longer enforce provisions within his own law. Think about that. The answer to fixing this law is for him to announce that they won't enforce the law. That tells you how desperate they are. His announcement today will only make things worse, and it is the American people who will continue to pay.

I, like everyone who has spoken on the floor this afternoon, have many examples of people who are being hurt today because of provisions of ObamaCare. Amanda from Bountiful, Utah, within my district, has seen her family's deductibles and the rate they will pay double.

Sundee from southern Utah has had her family's health plan entirely canceled. As small business owners, they are scrambling now to try to find something, some way in which they can maintain insurance for their family.

President Obama repeatedly promised that if you have health insurance, you can keep it. That promise has not been fulfilled. We call upon him to do that today.

OBAMACARE

(Mr. GUTHRIE asked and was given permission to address the House for 1 minute.)

Mr. GUTHRIE. Mr. Speaker, I rise today to share some powerful stories that Kentuckians have shared with me regarding their experiences with ObamaCare.

Jim Holloway of Glasgow was notified that his small business insurance plan will be canceled. Here is the letter:

Dear James Holloway, II, you will be moving to a health care reform, also called the Affordable Care Act compliant plan.

Mr. Holloway told me, "The plan I had was not a junk plan. I liked my plan." Unfortunately, he will not be able to keep that plan.

Tanya Veitschegger of Bowling Green also received a cancellation notice of her plan. After calling her insurance agent, she learned that a similar plan to what she and her husband had was available at a cost of \$490 more a month.

Vince Berta, also of Bowling Green, said that by being forced to go onto the exchange, his family's insurance rate will jump from \$375 a month to \$849 a month. He asks a fair question: "An over 100 percent increase—what part of this is affordable?"

The fact is that President Obama repeatedly promised Americans that if they liked their plan they could keep

it. I heard over and over from Kentuckians that is not the case.

OBAMACARE

(Mr. SHIMKUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Speaker, I would like to share two stories with you.

I have a 30-year-old self-employed farmer. He had a major medical plan with a \$2,500 deductible and paid 80 percent. He paid \$122.17 a month. This plan was canceled. To get a plan now with a \$6,000 deductible and pay 80 percent, it is \$259.02 a month, but it will cover pediatric, dental, and maternity. He is an individual bachelor, self-employed. He is single and a male. His point is, "I had a plan. I liked it. The President said I could keep it. That was a lie."

I also want to share the story of Tara, Eric, and Ky Manzano. They are both employed with a son. Their premium is doubling. They are not sure how they will be able to save for college for Ky and pay for this insurance.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

OBAMACARE

(Mr. GRIFFIN of Arkansas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GRIFFIN of Arkansas. Mr. Speaker, I rise today to tell the stories of real people in Arkansas' Second Congressional District who are being hurt by ObamaCare.

Many of them have seen their work hours reduced. Others are seeing their premiums double, triple, and quadruple. Many are losing the health insurance plans they would like to keep and wondering why President Obama told them repeatedly that that would never happen.

One single mom in Little Rock told me that her current health insurance plan will be canceled at the end of the year in just 6 weeks. She is worried this will affect her daughter who is about to start graduate school.

Terry and his wife in Rose Bud, Arkansas, will see their premium rise from \$380 to more than \$1,000 per month. That is not affordable.

Daniel Hanley, here with his horse, a vet in Little Rock, received notification that his health insurance plan was being canceled because of ObamaCare. The cancellation notice says:

ObamaCare will ultimately prevent us from offering competitive medical insurance . . . as a result, we anticipate that your medical insurance policy will be ending effective midnight December 31, 2013.

It is clear that ObamaCare is a broken law, and its broken Web site is only the beginning. ObamaCare must be repealed so we can pass real patient-centered health care reform.

OBAMACARE

(Mr. LONG asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LONG. Mr. Speaker, a constituent emailed my office this morning, and then she followed up with a call. She is fed up with ObamaCare.

She is battling cancer, which requires travel to a neighboring State. She told me her health insurance had been canceled due to the President's health care law. She was able to find a new plan, but will no longer be able to see her cancer doctor in Little Rock. She said:

My doctor and I are very concerned about the future treatment if I have to change docs. How many other Americans can no longer go to the treatment centers they need for lifesaving care? This is absurd. I have decided to continue my lifesaving treatments in Little Rock but will likely go bankrupt in the process. Just a little more stress the Obama plan has placed on thousands of Americans undergoing lifesaving treatment. I am angry not only for myself, but for everyone else who is going through this.

Mr. Speaker, we need to honor the promise President Obama made to the millions of Americans who like their plans but are now receiving cancellation notices.

OBAMACARE

(Mr. FLEMING asked and was given permission to address the House for 1 minute.)

Mr. FLEMING. Mr. Speaker, I want you to meet Andrew Parks, a hard-working young man from Bossier City, Louisiana, who has been hammered twice by ObamaCare. Earlier this year, his employer did what so many other businesses were forced to do by the ObamaCare employer mandate. They reduced Andrew's hours from a nearly 40-hour work week to 26 hours a week. He suffered a substantial loss in pay.

Then, the other shoe dropped. His employer recently sent him this notice from a national firm that his health insurance would not meet ObamaCare standards and would be discontinued at the end of the year. His ordeal couldn't be much worse.

Andrew has fought through a long-term illness and is a survivor of cancer, yet all he has asked for is the opportunity to work hard, to earn a living, and to keep his health insurance that he could afford. All ObamaCare has done is make those goals much more difficult to reach.

ObamaCare is damaging our economy and harming individuals. It needs to be repealed and repealed now.

OBAMACARE

(Mr. ROSKAM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROSKAM. Mr. Speaker, my constituents are asking a simple question,

and the question they are asking the White House is: Can you hear us now, and do you understand this frustration that we feel?

I have got a constituent, Mr. Speaker, Diane, who got this letter from her insurance, Medicare, with these couple of sentences:

Effective January 1, all plans must be compliant with the new health care law; therefore, the insurance company plan you have now will no longer be available after December 31.

What happened to Diane? A plan that she liked, a plan that she was satisfied with as an 11-year cancer survivor, a plan that she could afford now was taken away based on ObamaCare, and she was "migrated" into ObamaCare, and her premium was nearly doubling.

What does Diane have to say about President Obama's offer to fix this? She said this:

I want to see legislation passed to fix this problem, legislation I can trust. I don't want an administrative trust. I don't trust that to anyone.

We need to fix this. We need to pass this legislation.

OBAMACARE

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, the Affordable Care Act, also known as ObamaCare, needs to be repealed and replaced with better legislation. There is no administrative or legislative fix that will repair this flawed law.

Millions of Americans across the United States are receiving notices that their health insurance plans are being canceled.

Jeff is a constituent of mine in San Antonio, Texas. His insurance company sent him a notice informing him that his current coverage will be canceled at the end of the year. His new ObamaCare policy will cost 98 percent more than his current plan.

After the administration's announcement today, Jeff and his family may be able to keep their health care insurance coverage, but only for 1 year, and at what cost?

We need to replace ObamaCare with commonsense solutions that lower costs, expand access to care, and eliminate unfair mandates and penalties.

OBAMACARE

(Mr. CHABOT asked and was given permission to address the House for 1 minute.)

Mr. CHABOT. Mr. Speaker, the Americans we are discussing today did nothing wrong. They purchased insurance before any Federal mandate ordered them to. Now they are losing their insurance.

Katie Rupert is a constituent of mine. At 33, she was diagnosed with breast cancer, a sickness that later spread to her brain. She started radi-

ation and travels to Houston to see her oncology specialist. Today, she is a Stage IV cancer survivor and doing well, but she knows that this will not last forever.

Katie had good coverage through her husband's workplace but is losing it because of ObamaCare. What is worse, she has been told that her doctors are not covered by her options on the ObamaCare exchanges. She is a wife, a mother, an inspiration, and now she is another example of this law's collateral damage. That is the impact of ObamaCare.

We can do better. We have to do better. We owe Katie and others like her at least that much.

□ 1715

REMOVAL AS CONFEREES AND APPOINTMENT OF CONFEREES ON H.R. 3080, WATER RESOURCES REFORM AND DEVELOPMENT ACT

The SPEAKER pro tempore. Without objection, and pursuant to clause 11 of rule I, the Chair removes the gentleman from Georgia (Mr. GRAVES) as a conferee on H.R. 3080 and appoints the gentleman from Missouri (Mr. GRAVES) to fill the vacancy.

The Clerk will notify the Senate of the change in conferees.

There was no objection.

SECOND CHANCE ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Illinois (Mr. DANNY K. DAVIS) is recognized for 60 minutes as the designee of the minority leader.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I am going to change the tenor a little bit and do a little switching, although I must confess that there is not much more important in this country than trying to make sure that citizens have access to quality, comprehensive health care. And I think that we are much closer to that than we have ever been and look forward to it actually happening.

As I was listening, I was reminded of something that my father used to tell us, that if you keep telling yourself the same thing over and over and over and over again, you will eventually get to the point where you believe it.

Being here to do a Special Order, though, reminds me of my good friend, Representative Major Owens, who was famous for doing Special Orders. I remember when I first came here that you could see Representative Major Owens on the floor late at night, by himself, talking about education and the need to make sure it happened. And I guess the fact that he was a trained librarian may have had something to do with that.

So I wanted to just take a moment and pay tribute to Representative Major Owens for the tremendous work that he did on education, and espe-

cially the work that he did that led to the creation of something called PBIs, predominantly black institutions, as a part of the Higher Education Act.

So, Major, many, many students will remember your contribution to the development of what we know as these 75 or so institutions across the country that are called predominantly black institutions, and who now receive special consideration for funds because of that designation.

I also, before I delve into my subject, want to express condolences to the family of Commissioner Devera Beverly, who passed away earlier this week and is known as probably the most profound advocate for public housing and public housing residents in the city of Chicago and, perhaps, throughout the Nation, because she has spent more than 30 years advocating for this population group and was a founding member of the Public Housing Museum, which is well on its way to being developed.

So we express condolences to the family, friends and associates of Commissioner Devera Beverly, who lived in the Abila Homes in Chicago. That is A-B-L-A, Abila Homes. But she was a public housing resident who advocated to the point of being selected by the mayor of the city of Chicago to be a commissioner of the Chicago Housing Authority. So we salute you, Ms. Devera Beverly.

Now I want to talk about something that is near and dear to my heart, but it is also near and dear to the hearts of many, and it is also part of a crisis that actually exists in our country.

Our country is known for many things, as it should be. It is one of the, and perhaps the, wealthiest country on the face of the Earth. It is one of the most technologically proficient countries in the world today. It is one of the most highly educated countries.

But it also is the country that has the distinction of having more people incarcerated, both per capita and in actual numbers, than any other country on the face of the Earth. More than 2.3 million people sit, tonight, in our prisons throughout America.

About 750,000 of those come home every year; and you know, of all the individuals who are incarcerated, most of them will come home, or they will go somewhere. There are numbers of individuals who do, in fact, die in prison. They are lifers, and in many instances they are individuals who have committed horrible crimes, sadistic crimes, crimes that suggest they should never be let out on their own.

But most individuals will return home, or they will return to some community; and when they do, what happens to and with them will often determine whether or not they remain on the outside, or how soon they will return to the inside.

There are some things that we know about this population. We know that if they do not receive any help, many of them, about two-thirds, within a 3-year

period of time will have done what we call recidivate, which means that they will have committed some offense for which they could be rearrested and reincarcerated.

And about 50 percent of them, within 3 years, if nothing happens to or with them, if they don't get any help, will be back in jail or prison, costing the public money, living and being cared for at taxpayer expense. In some instances, these costs have become so high, until some States are just looking for ways that they can release them, some of them, because in some instances they are spending as much money for corrections as they are spending for education, and that is an awful lot of money.

But there is an alternative, and that alternative is called the Second Chance Act, and that is what I am going to spend some time talking about. As a matter of fact, it was passed into law 5 years ago, signed by President Bush, so it is not a Democratic piece of action. It is not a Republican. It is a joint legislative initiative that had bipartisan, bicameral support, Democrats and Republicans, House and Senate passed.

The interesting thing about it is that all of the reports that we have seen, and there have been a number of them, Justice Center has put out a report called "Re-Entry Matters." Other groups have issued reports, the Leadership Conference on Civil and Human Rights.

And the reports that I have seen all suggest that, while it has not been a panacea, meaning that it certainly has not been able to solve all of the problems or diminish all of the issues surrounding this need, it has, in fact, been very helpful, and there are States who are reporting reductions in recidivism.

Recidivism is one of the factors which contributes to keeping the numbers of people incarcerated as high as it is because, for many of them, they are constantly in and out; and it becomes a cycle of going in and a cycle of getting out and going in again.

But what helps them is when there are programmatic approaches, evidence-based, that actually help them; and we have had about 600 such programs and grants that have been funded under the Second Chance Act. Of course, it has not been as much money or as much funding as would be needed, but 600 groups across the Nation, 600 institutions, 600 research groups, all working towards finding a solution and finding help, has made a difference.

It is time now to re-introduce this legislation, and I am pleased and delighted that on yesterday, in both the House and the Senate, very senior level and prestigious Members of both bodies have introduced, and we have seen the re-introduction of the Second Chance Act.

In the Senate, Senator LEAHY, chairman of the Judiciary, Senator ROB PORTMAN, Democrat, Republican; in the House, Representative JIM SENSENBRENNER, former chairman of the Judi-

ciary Committee, Republican, myself, Democrat. And so we have Democrats and Republicans on this issue.

There are a lot of things that we are not necessarily agreeing upon right now in Congress. There is a tremendous amount of disagreement, enough that actually shut down the government. But on this issue there appears to be the emergence of tremendous agreement, which makes all of us optimistic that something significant and even more significant can be done.

So I want to highlight some of the organizations and groups that have been actively engaged and seriously involved, groups like the Leadership Conference for Civil and Human Rights, groups like the Justice Center, from the Council of State Governments, groups who have worked fastidiously to demonstrate that people can be helped.

□ 1730

What is it that individuals actually need when they are released from jail or prison? Well, they certainly need more than \$20 and a bus ticket. Many of them have no place at all to go. But if they can find somebody waiting in some community who says, We are going to help you get reestablished. We are going to help you find a place to live, a place that you can call your own. Or if you have got a drug problem, we are going to find you a source of treatment. Or maybe, if you are in need of anger management help, we are going to find someone who can provide that.

Perhaps you don't have much in the way of formal education and skill, so maybe we will direct you to a GED program, or maybe we will direct you to a vocational or technical training program so that you can develop the skill that you need in order to find a job or secure employment. Or maybe if you have got some emotional, psychological, or just self-esteem problems, we could direct you to a program that will help you overcome these deficiencies.

And I can tell you that, if these individuals can find a job, a place to work, a place where they know that they can fit and make a contribution, many of them will never, ever see the inside of a jail or prison again because they have evolved into a person who knows that they have self-worth, self-esteem, that they can take care of themselves. They can earn what they need, and they can make a contribution.

But I will tell you, there are many barriers that often prohibit and prevent individuals from finding their rightful place or being able to successfully reenter society as a contributing member. For example, you may not be able to live in public housing if you have a felony conviction. You could just very well be barred. Well, who needs public housing more than individuals who can't find a job?

There are many entities within our society that say to an individual with a record, We don't hire people with

records, meaning, if you have been convicted of a felony, there is no point to making an application even if we have "help wanted" signs posted. Fortunately, there are some businesses and some companies who are beginning to ease up a little bit and see the futility of that kind of policy because, if these individuals are never able to find a job, they will be a cost to the public for the rest of their natural lives. Somebody's tax dollars will have to go to support them in one way or another.

So some State legislatures are beginning to look at some of the licensing requirements that their States have and say, Maybe you can't get a license to be a barber or a beautician or a cosmetologist, yet you are able to get trained while incarcerated; and now that you have been trained, you cannot work in that profession. Of course that does not appear to be very logical, and so some States are beginning to review their policies as it relates to certain kinds of licensure requirements and whether or not individuals can get what might be called a waiver or whether they can demonstrate that not only do they have the training and expertise to do the job, but they also have the character which will allow them to do it well. So a little bit of progress is being made in that direction. There are some instances where housing authorities are beginning to look to see whether or not there might be some way.

And I don't think anybody is suggesting when they are being asked to provide opportunities, certainly you wouldn't necessarily put a child molester in a day care center. Many of the programs and many of the individuals who try to help erase some of the barriers, they already know that, and that is not the kind of thing that they advocate; but they do believe that people should be given a chance, an opportunity, a chance to demonstrate that they want to be good citizens, that they want to work, that they want to contribute.

So I am asking my colleagues both in the House and the Senate to look at the invitation letters that they have received to become cosponsors of this legislation. It is not asking for as much money as it needs. \$100 million is money, but it does not break the bank. That is the appropriation asked.

I think one of the things that we look at is what it has spawned and what it has sparked, not just how much Federal money has gone into it, not just how many Federal dollars. But it has spawned response and reaction from State, local, and county governments who have established their own second chance programs, who have put together their own second chance initiatives.

I certainly want to commend Governor Patrick Quinn of the State of Illinois, my Governor, who, by the way, happens to live in my congressional district and is my constituent, for the State of Illinois' response to this problem.

And I also want to commend and congratulate the president of the Cook County government, the county board, which, of course, is larger than more than 25 States in the Nation. The county of Cook is a very large county, with more than 5 million people in it. I want to commend County President Toni Preckwinkle for how the county government is trying to respond to this need.

And I especially want to commend the sheriff of our county who has more than 13,000 people in his jail. He recognizes that many of them ought not be there because they have got mental health problems and mental health issues, and he is seeking and searching and looking for ways to change that.

I want to commend the mayor of the city of Chicago, our former colleague, Rahm Emanuel, because he has established a number of programs with city agencies and with city government where they are set aside specifically for individuals who have records, individuals who have been incarcerated, individuals who need a second chance with both the city of Chicago, itself, and the Chicago Transit Authority.

So there are bits and pieces of progress being made, and I commend all of those who are helping to make it. But my final ask is for my colleagues in both the House and the Senate to join in this effort, sign on to the Second Chance Act, help us to get it renewed, help us to get it reauthorized, to get it refunded, and get it seriously implemented throughout the United States of America so that these individuals will know that our country does, in fact, believe in a second chance.

Mr. Speaker, I yield back the balance of my time.

RELIGIOUS FREEDOM IN THE MILITARY

The SPEAKER pro tempore (Mr. COLLINS of Georgia). Under the Speaker's announced policy of January 3, 2013, the gentlewoman from Missouri (Mrs. HARTZLER) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mrs. HARTZLER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Missouri?

There was no objection.

Mrs. HARTZLER. Mr. Speaker and my fellow colleagues, I wanted to share with you a picture that I have in my office, and it is my favorite picture. It is the famous picture of President and then-General George Washington on his knees praying at Valley Forge.

Of course, we all remember from our history lessons the story of what happened during that time. But the winter at Valley Forge was a terribly, terribly trying time for the Continental Army. They had suffered a lot of defeats that

fall, and they went into a very cold, harsh winter with very, very limited supplies, and the stories that come from that are just heartbreaking.

There were 12,000 men that were encamped. Many of them did not even have a tent or a shelter. Several of them did not even have a blanket. And as you know, here in Washington, D.C., and back home in Missouri, the weather has started to turn cold. I think it was about 30 degrees this morning. And to think about what it would have been like to have to sleep out in the cold with no blanket during that time. And of course, snow came along.

We have heard stories about how many of the men did not even have shoes. They had marched so much that fall and had gone through such harsh battles that their shoes had fallen apart. And we have all seen pictures and heard stories of how their feet bled. Even in the snow, there were foot tracks like that. And what is worse, many of them didn't even have food.

This was the situation of 12,000 men. The conditions were so bad that they ruled at one time that a third of them, almost 4,000 men, were unfit for battle. And then 2,000, over the course of those winter months, died as a result of disease and dysentery and other things that occurred during those very harsh conditions.

And during that time, we have learned a story that George Washington, the commander of this ragtag but yet valiant group of men, went to the woods and got down on his knees and prayed. And the reason we know this is because of the story of Isaac Potts who later shared the account that was later recorded.

He was a local Quaker farmer. He was riding his horse through the woods, and he heard a sound that was strange, as if a man was crying out in plaintiff prayer. So he quietly got off his horse and wrapped the reins around a sapling tree, snuck through the woods to get closer, and as came into an opening, he could see something that shocked him.

□ 1745

He said it like this:

I saw the great George Washington on his knees, alone, with a sword on one side and his cocked hat on the other. He was at prayer to the God of the Armies, beseeching to interpose with his Divine aid.

We know what happened later—and, I believe, as a result of those prayers. That ragtag group of army over the winter gained courage and strength. Supplies started to come in. General Baron Von Steuben was sent by Benjamin Franklin from the Prussian Army to start drilling the men and turn this ragtag but courageous group into a major, strong fighting force, and they came out that next spring a force ready to meet the British Army, and they did.

That was a turning point in the war. It wasn't to be decided for years to come, but at Valley Forge the whole outcome of not just the war, but of our

country, was turned, and I believe it was because of the prayer of the general of the Army.

Faith has been important to the armed services and to the people of this country from the beginning, and it is just as important now to our men and women in uniform as it was back at the beginning of our country. Yet their ability to express their religious beliefs is being attacked from forces outside and forces within.

It has been discouraging the last few years to hear accounts of some of these infringements on the basic religious rights and freedoms of our men and women in uniform. So that is why my colleagues and I are here for the next hour. We are here to, first of all, stand up for the religious rights and freedoms that are guaranteed in our Constitution.

I think it is very fitting and appropriate to remember that George Washington was there and helped craft that Bill of Rights, and what is the first right? The freedom of expression of religion.

We want to not only celebrate that and stand up for that but to also raise awareness of the concerns that we have and to implore the Department of Defense to push back on some of the negative policies that have been coming out that infringe on their rights, and to change course and to continue to remain strong as a country, preserving those basic freedoms so that we can continue to be strong in the future as we have in the past.

So now I want to invite someone who knows from very personal experience and can speak to this issue, my friend from Georgia, Representative DOUG COLLINS, who is still an active member of the Air Force Reserves, not only serving his country in many ways, but also serving his God by being a chaplain.

Representative COLLINS, I would like to hear what you have to say about this very important issue.

Mr. COLLINS of Georgia. I appreciate the gentlewoman yielding and being a part of this tonight and really bringing something to the forefront that we need to discuss. It is a part of our foundation. It is a part, as you have so rightly shown by that wonderful reproduction of a painting there, that—our values and our founding were founded really on a sense of prayer, and not from a prayer that led to an exclusive Nation, but a prayer that led to an inclusive Nation. I think that is something that we often many times have forgotten in this process.

Tonight, as we talk about this, I want to discuss that on Veterans Day, the President laid a wreath at the Tomb of the Unknown Soldier in Arlington National Cemetery. As the final resting place for so many men and women of faith, Arlington is, understandably, full of religious symbolism. It is considered this country's most hallowed ground.

Veterans Day gives Americans an opportunity to honor those laid to rest at

Arlington Cemetery, along with those continuing to serve our great Nation. Those interred in Arlington's soil gave their lives to uphold the rights we are blessed to enjoy today.

Sadly, I have become concerned about our servicemembers' ability to exercise their freedoms. Over the past year, a number of incidents have caused many to question if the Pentagon and the VA no longer embrace the religious freedoms its soldiers and patients have bled to defend.

A news report came to light just a few days ago of two military chaplains being harassed in a Veterans Affairs chaplain training program in 2012. The VA health programs employ chaplains to minister to patients receiving care, and these two seasoned officers were looking to attend to the needs of those in VA care.

I want you to understand these are not new chaplains. These are not new to the military environment. They were two who had admirably served in the military as chaplains and gone through this training, which should have been easy because it had been something they had been doing their entire career.

However, their suit claims a VA supervisor repeatedly harassed the chaplains about their Christian beliefs. The supervisor instructed the chaplains not to pray in the name of Jesus, which is an integral component of the Christian faith. Even in the context of a group discussion on faith-based topics, the two chaplains were chastised for reciting Scripture.

As a chaplain myself, I am just amazed at this process at this point—chaplains not able to use Scripture of any faith group. That is the very basis of who we are, no matter what faith background that we come from, and in ministering to those with faith or without faith, it is a structural part of who we are.

The chaplains' spiritual beliefs were belittled on multiple occasions. The harassment by the chaplain's supervisor was so filled with vitriol that one of them withdrew from the program.

The VA is designed to serve members of the Armed Forces during periods of need and hardship. If the VA bars chaplains from expressing themselves, how can we expect servicemembers suffering from private illnesses to come forward?

Unfortunately, this is not an isolated event. There are numerous reports of the DOD and VA permitting open hostility to Christian organizations and those practicing the faith in uniform.

In April, media sources reported that Army soldiers were being briefed that Christian Evangelicals were to be considered extremist organizations in the vein of al Qaeda. Similar briefings have apparently continued, with a similar incident at Camp Shelby in Alabama—get this, not a few months ago, not when this was first done—last month. As one who is a Christian Evangelical, to be described with those in a ter-

rorist organization in the vein of al Qaeda is despicable and should be stopped.

Earlier this year, the Southern Baptist Convention's Web site had issues at Army, Navy, Air Force, and Marine bases. The Pentagon has subsequently apologized for the issues, and they said there was never an intent to restrict servicemembers' access to the Web site, but when you look at it from an overall perspective, this still continues to be a concern.

Then we have a gentleman named Mikey Weinstein, who is an ardent critic of Christians practicing in the military. Mr. Weinstein heads the Military Religious Freedom Foundation. Don't let the title of his organization fool you. That is what they want you to think.

Mr. Weinstein believes the phrase "so help me God" should be removed from the Air Force Academy's honor oath. This same man requested and received time to speak with top military brass to discuss religious freedom in the military. At what point in time should someone who wants to take away freedom be given the opportunity to go before our highest military officials to plead a case to remove a very constitutional right without the benefit of others getting the same courtesy?

As I continue reflecting on the meeting of Veterans Day, it troubles my spirit to think that leading military personnel may be targeting Christian organizations as a part of a personal agenda.

This country has fought such tyrants. Freedom of religion has been upheld with the blood, sweat, and tears of the U.S. military. Now there appears to be a strain inside the Pentagon and VA whose mission it is to take away the soul of our fighting force.

Are we now to tiptoe on the very soil that entombs the brave men and women who gave their lives for religious liberties and our other constitutional rights? As a military chaplain myself, I pray not.

Mrs. HARTZLER. Thank you very much, Representative COLLINS. Well said.

The oath that you talked about, I want to expound on it a little bit so people understood that what Mikey Weinstein did has had an effect. The Air Force Academy actually removed a poster portraying the words of the Academy oath, and the committee is considered removing the phrase "so help me God" from the honor oath recited by all incoming cadets.

This is the same oath. Let me read it. This is the oath that every cadet gives when they come into the Air Force Academy. It is also the same oath of office for officers and the same oath that Members of Congress say. This is what they want to remove the "so help me God" from:

Having been appointed as an Air Force Cadet in the United States Air Force, do solemnly swear or affirm that I will support and defend the Constitution of the United

States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office of which I am about to enter. So help me God.

It is a time-honored oath.

This is a serious decision to enter the service of the country, whether it is in the military or whether it is as a Member of Congress, and to have them question whether we should remove that or not is despicable.

Now I would like to turn to a champion on these issues, and that is my friend from Colorado, Representative DOUG LAMBORN. I appreciate the letters that he has authored to push back on many of these attacks on our religious freedoms.

Representative LAMBORN.

Mr. LAMBORN. I thank the gentle lady from Missouri. I know that she is a leader on military issues. We serve together on the Armed Services Committee, and she is becoming known as a leader on military issues. Her passion on religious freedom is also evident through her getting this time here today. So I appreciate that.

Mr. Speaker, I rise today again in support of religious freedom in our military. I am honored to represent tens of thousands of men and women in uniform who serve at the five military installations in my district in Colorado. Our military is made up of brave and dedicated men and women of all faiths who deserve to practice their respective religion free from harassment and malicious attacks.

But there is a growing and troubling pattern of religious discrimination against our men and women in arms. Earlier this year, an Army reserve training brief listed Catholics, Evangelical Christians, Sunni Muslims, and some Jews as "religious extremists," along with groups like al Qaeda, Hamas, and the KKK. In response to this troubling report, I sent a letter, along with 34 of my colleagues, to the Secretary of the Army to express deep concern and to request information about what is being done to prevent this sort of offensive briefing from being given again.

In his response, Secretary of the Army John McHugh assured us the that this briefing was an isolated incident. Secretary McHugh also made note of a corrective measure that would require all briefings of this nature to be vetted with the appropriate unit leaders and subject matter experts prior to presentation.

Sadly, this past month, reports of additional offensive Army briefings came to light, first, at Camp Shelby in Mississippi, where an Army Reserve training briefing listed the American Family Association, a respected Christian organization, as a domestic hate group alongside groups like the Ku Klux Klan, Neo-Nazis, the Black Panthers, and the Nation of Islam, and also at a Fort Hood briefing that listed Christian Evangelical groups as a "threat"

to the United States. These disturbing reports have made clear that the offensive briefing given in April was not an isolated incident. This pattern must be addressed.

I was encouraged to learn that Secretary McHugh, after learning of the most recent incidents, issued an order to cease all briefings on the subject of extremist organizations and activities. Secretary McHugh rightly described the mislabeling of Christian Evangelical groups as “inaccurate, objectionable, and otherwise inconsistent with current Army policy.”

I commend Secretary McHugh's recent action and believe it was a step in the right direction. However, these Army briefings are small examples of what I believe is a larger issue, which is a pattern of intolerance toward people of faith in the military.

In addition to briefings mislabeling Christians, we have also seen a Christian chaplain ordered to remove a religious column he had written which simply detailed the history of the phrase “there are no atheists in foxholes.” Active efforts are underway to remove the phrase “so help me God” from the Air Force Academy oath. The President, upon signing the National Defense Authorization Act, actually called religious freedom protections for military chaplains and other servicemembers “unnecessary and ill-advised.”

I have no idea how he could say this.

Mr. Speaker, this religious intolerance is unacceptable. Our Nation was founded on Judeo-Christian principles but has always believed in freedom of self-expression and intolerance. We owe it to our men and women in uniform to defend these basic rights.

Religious freedom is an integral component of America's greatness and has been a pillar of our Nation from the very beginning. You can see the picture that Representative HARTZLER showed of George Washington. It has also been a strong part of our military heritage.

We must remain firmly committed to defending that freedom.

Mrs. HARTZLER. Thank you, Representative LAMBORN. That was very good. I appreciate the summary of some of the concerns that we had of the pattern that has developed of the intolerance in the military of religious expression. So thank you for your leadership on that.

I would now like to turn to my friend from Texas, Representative ROGER WILLIAMS.

□ 1800

Mr. WILLIAMS. Thank you, Congresswoman. I appreciate your leadership.

Mr. Speaker, in our Nation's 237 years, over 25 million men and women have served in the Armed Forces. They wear the uniform, fight our enemies, defend their homeland, protect their fellow man in battle, honor their fallen comrades, and, perhaps most importantly, they honor their oath to sup-

port and defend the Constitution of the United States against all enemies foreign and domestic.

Mr. Speaker, the First Amendment of the Constitution states:

Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof.

Freedom of religion is how we live our faith, not just where we attend worship services. Soldiers, airmen, sailors, and marines stationed domestically are able to attend their religious services; and for troops overseas who aren't able to walk off base in enemy territory to attend a service, there are military chaplains who facilitate services for them. But religious freedom doesn't just cover worship services; it covers the exercise of religion.

Regrettably, in the last few years, many instances of religious intolerance in the military have come to light, specifically targeting Christianity. Soldiers are being told by superiors that they cannot associate themselves with Christian groups and that evangelical Christians are a threat to the United States. These soldiers are told not to associate with, contribute to, or be a part of these Christian groups.

This is not only an outrage. It is un-American and a direct violation of the Constitution that these men and women have sworn with their lives to uphold. Troops do not take an oath to their superiors, the President, the government or to Congress. They take an oath to defend the Constitution, which protects their religious liberty.

The Department of Defense's rules and regulations protecting these rights need to be enforced. As a whole, the military overwhelmingly respects the rights and religious beliefs of individuals, but these so-called “isolated incidents” of intimidation and coercion must end now—immediately.

Mr. Speaker, our Armed Forces are willing and ready to answer the call of duty, and so many have made the ultimate sacrifice to preserve the freedoms and liberties we as Americans value so dearly. My district, the 25th District of Texas, is home to Fort Hood, which is the largest military installation in America. The patriots at Fort Hood deserve to have someone fighting on their behalf when their rights as Americans are violated.

Congress must ensure that every time a man or a woman makes the admirable decision to join the military, he is not signing away his First Amendment rights. Let's make sure right here, right now that our policies leave no room for interpretation when it comes to the military's right to freely practice its religion. After all, we are one Nation under God. In God, we always trust.

Mrs. HARTZLER. Thank you so much, Representative WILLIAMS. Well said. I appreciate it very much.

Now I would like to yield to a real leader on this, one who has been at the forefront of ensuring that our men and women in uniform are not discrimi-

nated against based on their religious beliefs. He was the author of the amendment of the National Defense Authorization Act last year and this year, an amendment which protects those freedoms. I would now like to turn to JOHN FLEMING from Louisiana.

Mr. FLEMING. I thank the gentleman from Missouri.

I thank you for your leadership and also, tonight, for having this great time for us to come together to talk about a subject that, I think, is increasingly important.

With great foresight and clarity, the Founding Fathers enshrined religious liberty as our First Amendment right, stating:

Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof.

This is an important constitutional right that is for every American, including servicemembers who defend those very liberties with their own lives.

The ability to live one's life informed by one's faith is not just a protected constitutional right; it is also essential for the individual well-being of our soldiers. In the uniquely stressful military environment, Congress must ensure that our men and women in uniform can access religious support and practice their faith without risking career reprisals.

Servicemembers increasingly fear even mentioning their faith in the military because of restrictions, uncertain policies surrounding religious expression, and a general climate of hostility towards those with particular religious or moral viewpoints. This is not your father's military. This is not the military you served in. This is a different military when it comes to respecting religious rights and freedoms.

Last year, the House Armed Services Committee adopted an amendment to the National Defense Authorization Act, section 533, that provided protections of sincerely held religious beliefs for servicemembers and chaplains. However, we have yet to see the regulations that should have been issued in accordance with this amendment.

In a March 2013 JAG memorandum, the Air Force clearly showed that it is interpreting section 533 as only protecting the religious beliefs of servicemembers and not the actual expression of those beliefs through actions and free speech. For heaven's sakes, of course the military can't say anything about what you believe because nobody knows what you believe unless you express those beliefs in some way or another.

Just as the First Amendment does not mean just freedom of worship but, rather, the free exercise of religion, servicemembers are not only protected in holding a belief but are free to live their lives in accordance with those beliefs and to give voice to them.

This June, on a bipartisan basis, the House Armed Services Committee adopted my amendment to the National Defense Authorization Act to

clarify the protections provided for actions and speech that flow from sincerely held religious and moral convictions.

My amendment provides the Department flexibility to ensure the morale and readiness needs of servicemembers are met upon the application of this provision. It clarifies that action and speech, along with the beliefs of a servicemember, are protected by the First Amendment, and it requires that the DOD consult with the faith groups, which already work with the military to endorse military chaplains, when implementing section 533.

While the military context requires good order and discipline to be maintained, “good order and discipline” cannot be wielded as a club to stifle the reasonable religious expression of servicemembers.

So what am I really talking about here? Let me give you some examples:

A servicemember received a severe and possibly career-ending reprimand from his commanding officer for respectfully expressing his faith’s religious position in a personal religious blog even though the blog included a disclaimer that his views were not official military policy;

An Air Force officer kept a Bible on his desk, along with other personal items, for 18 years. When he transferred to his latest assignment, he was told by his supervisor that he could not keep his Bible in public view, that it may offend someone if one actually saw his Bible;

Walter Reed Hospital briefly prohibited the distribution of religious materials, i.e., Bibles and scripture of any faith, from being given to wounded servicemembers;

Thousands of Army Reserve soldiers received equal opportunity training, labeling evangelical Christians, Catholics, ultra-Orthodox Jews, and others as “religious extremists” who are comparable to the KKK and al Qaeda. This training, which was memorialized in writing, further instructed the servicemembers that they may not support such extremist organizations by attending meetings, fund-raising, recruiting, helping lead or organize or distributing literature. In other words, thousands of soldiers were told that they could not go to church, lead Sunday school, tithe, share their faith or give out Bibles;

Another series of equal opportunity training sessions held for Army active components at Camp Shelby in Alabama and again at Fort Hood in Texas listed a prominent ministry, the American Family Association, as an extremist group alongside the KKK. I am pleased that Secretary McHugh, upon being made aware of these particular types of egregious training materials, canceled all future equal opportunity training until the DOD gets its act together;

There is the case of Sergeant Monk, a fine young man whom I met personally, who was relieved of his position

after objecting to his commander’s plans to punish an instructor who had expressed religious objections to gay marriage. When asked about his own support of traditional marriage, Sergeant Monk was told that he was in violation of Air Force policy. Yes, because he supported traditional marriage, he was in violation of Air Force policy, and after 19 years—almost 20 years, almost reaching retirement—he was fired;

In performing his official duties, an Air Force chaplain, Lieutenant Colonel Reyes, at Joint Base Elmendorf-Richardson in Alaska, wrote a column on the “Chaplain’s Corner” Web site, titled “No Atheists in Foxholes: Chaplains Gave All in World War II.” The column traces the history of the famous phrase used by President Eisenhower, and connects it to the idea that the military is unique in that servicemembers must confront the grim reality of death.

He writes:

Everyone expresses some form of faith every day whether it is religious or secular. Some express faith by believing, when they get up in the morning, they will arrive at work in one piece . . . What is the root or object of your faith? Is it something you can count on in times of plenty or loss? peace or chaos? joy or sorrow? success or failure? What is “faith” to you?

Finally, the column did not speak negatively of people of no faith or of people of non-faith, though the commander removed the column from the “Chaplain’s Corner” Web page. The commander later reposted the column after media attention and congressional inquiries.

I would just like to say in conclusion, Mr. Speaker, that we are seeing an assault on religious liberty, not just on religion—not just on Christianity—but on religious liberty in a way this Nation has never seen before. Bear in mind, why did our forefathers—why did our ancestors—come to this Nation? They came for different reasons—economic freedom, freedom of speech and other things—but primarily for religious freedom.

That is the one freedom that appears to be slipping away in the most important venue that we have, and that is in the military, because who pays a heavier price for that freedom than our uniformed members who stand in the gap, who protect us each and every day in our own freedoms?

Mrs. HARTZLER. Thank you so much Representative FLEMING. Your leadership has really made a difference and appreciate your comments.

I know another colleague from Texas who is a captain in the Army probably has a few things to share about this so I would like to hear from my friend LOUIE GOHMERT.

Mr. GOHMERT. I thank my friend from Missouri for yielding and for setting up this time that we could share about what is going on.

Just in contrast to my friend from Louisiana’s examples of the abuses of military members’ First Amendment

rights, the government is not supposed to prohibit the free exercise of religion. Of course, we know in the military—I knew—that there are some things you give up when you are in the military. You can’t assemble when you want to, and you can’t speak when you want to, but Commanders in Chief have always known that when it comes to religious liberty, you should not infringe upon people’s religious beliefs, especially when they believe they are fighting for a country in which people could have First Amendment rights to utilize and to worship God.

In fact, of course, in my 4 years in the Army, we didn’t have a Commander in Chief who had issued an order—attributed to George Washington—that people should not take the name of the Lord in vain, because how can we ask God’s blessing on our military at the same time and in the same mouth as one’s taking God’s name in vain? That was not the order of the day when I was in the Army; but by the same token, you saw crosses at chapels on military installations. You saw crosses inside of chapels and outside of chapels. Now they have been removed, we have been told, from the insides and outsides of chapels on military installations. It is outrageous.

We hear people call the generation in America that won World War II—making the world safer for democracy—the Greatest Generation. Yet, if you look at what occurred during World War II, you had a President of the United States who went on national radio on D-day and prayed about the evil forces that our troops were trying to defeat. He prayed God’s blessing openly for several minutes on national radio.

I was given by my aunt a New Testament with a metal cover. There are all kinds of stories about these metal covers actually stopping bullets when they were placed in pockets, but on this metal cover, it says, “May the Lord be with you.”

Under the new rules, I haven’t seen anything that this Commander in Chief has signed or said of “you can’t practice your Christian beliefs” or “we are not going to afford you conscience exemptions” like have always been provided throughout our country. I haven’t seen that.

□ 1815

But as Harry Truman said, the buck stops with the Commander in Chief. Whether it is actually stopping with Valerie Jarrett, or wherever it is stopping, the Commander in Chief has the power to get the buck, bring it to his desk, and make these decisions.

Well, here is what Franklin D. Roosevelt did. Here in this New Testament, it says, “May the Lord be with you on the front.” Inside, at the top, it says, “The White House, Washington.”

As Commander in Chief, I take pleasure in commending the reading of the Bible to all who serve in the Armed Forces of the United States. Throughout the centuries, men of many faiths and diverse origins have found

in the Sacred Book words of wisdom, counsel, and inspiration. It is a fountain of strength, and now, as always, an aid in attaining the highest aspirations of the human soul.

Signed by Franklin D. Roosevelt.

I have been trying to find a Bible in recent days that has an inscription or signature from the current Commander in Chief who has said he takes such great inspiration from Franklin Roosevelt. Instead, not only do we not find Bibles being encouraged and handed out, we see crosses being taken back, people being told they can't even have their own Bible where people might see it. It is an outrage.

I worry for our Nation, just as George Washington did. How can we expect God to bless a nation that is not being allowed to even praise God publicly in our military? It is a sad day. But what is more, if George Washington is right, we are stripping our Nation of the opportunity to have our military blessed because of what was done in prior militaries that brought about blessings.

Even if you don't believe in God whatsoever, why wouldn't you want to at least have an insurance policy that maybe the reason they were blessed was because of things like this done for our military in our military, signed by the President of the United States? Obviously, this is a stamp of the President's signature.

But again, I appreciate my friend from Missouri. #MilitaryFreedom—we encourage people, Mr. Speaker, to utilize that, to get us information, because we want to help our military protect us.

I thank so much Mrs. HARTZLER for this effort and for this hour and encourage all of our colleagues, Mr. Speaker, to stand up for what is right for our military—their freedom of religion.

Mrs. HARTZLER. Thank you. I really appreciate you bringing your Bible and sharing that story. I think that really brings home how things have changed and how we need to go back to having an administration and a Department of Defense that protects and preserves and promotes the exercise of religion among our troops for the protection and blessing of not only them, but our country.

Now I would like to turn to my friend from Illinois, just a little ways to the east here, RANDY HULTGREN, to share on this important topic.

Mr. HULTGREN. Thank you, Congresswoman HARTZLER, for putting this together. I appreciate your important work on this. This is such an important subject for us to be talking about.

Mr. Speaker, I rise tonight troubled by what appears to be growing attacks on the religious freedom of those serving in our military. Our great Nation, as you all know, was founded on the principle that all men and women have a natural right to freely practice their respective faiths. These rights extend equally to the brave men and women who serve in our Armed Forces. Our

founding documents were written with the express purpose of protecting the inalienable rights of American citizens, including that of religious liberties. The First Amendment states:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.

In 1785, the father of the Constitution, James Madison, said:

The religion then of every man must be left to the conviction of conscience of every man, and it is the right of every man to exercise it as these may dictate.

He recognized that one's faith contains dictates that, barring harm to others, demand obedience from adherents. And obedience not only in thought and behavior, but also by speech and action as well. An individual's faith is inseparable from the way in which he or she lives and acts.

If the Federal Government would curtail the religious speech and action of military members, they would be clearly overstepping the bounds of the Constitution. Unfortunately, over the past several years, a string of aggressive government actions has chilled the religious practice of members of our Armed Forces. These soldiers defend our freedoms abroad but did not expect to lose those freedoms at home.

Earlier this year, an officer in the Air Force was asked to remove the Bible he kept on his desk. He was told his displaying his Bible made others uncomfortable and that he could, as a superior, be seen as forcing his religion on others.

Does this mean that President Obama has forced his religion on others when he put his hand on President Lincoln's Bible as he swore the oath of office on inauguration day? When did freedom for religion become conflated with freedom from religion?

While attempting to avoid elevating one faith above the rest—an admirable goal—the government has stifled all religion. The so-called “protection” from religious expression extends further into servicemembers' personal lives.

An Army chaplain's assistant was reprimanded for expressing her views informed by her faith regarding human sexuality on her own private Facebook profile. Her post was created in her free time and was only visible to her friends and family. Yet, once the post was discovered, a superior demanded she remove it or potentially face disciplinary action, including loss of rank and pay. She eventually was forced to acquiesce and remove the post.

These are not isolated incidents, but reflect an institutionwide problem.

Take, for example, a memo released September 14, 2011, to Walter Reed National Military Medical Center. Here is an excerpt from a section regarding visits by religious leaders:

No religious items (i.e. Bibles, reading material, and/or artifacts) are allowed to be given away or used during a visit.

So the memo prevented a priest visiting an ailing parishioner from bringing his Bible—or imam, his Koran—

with him to the hospital. This sparked a national outcry and the memo was quickly rescinded under the claim that it was an “accident.” So the memo was “accidental.”

But what about military briefings? Are they “accidental” as well?

Last month, several dozen U.S. Army Active and Reserve troops were advised to treat the American Family Association as a hate group. Apparently, the Christian ministry's support for traditional marriage was enough for the instructor to slap on the “hate group” label. Fortunately, again under public pressure, the Pentagon later retracted the label.

Similarly, a West Point think tank released a report at the beginning of the year labeling “far right” conservative groups, specifically those holding pro-life values, as extremists and domestic terrorists. Because a few radical and disturbed activists have used violence to further their cause, the report lumped in everyone who believed in the sanctity of all life as terrorists. It is dangerous and disingenuous to paint with such broad strokes, blaming entire groups for the terrible actions of a few individuals.

These stories are just a few examples of rising sentiment that attacks the expression of religion in our military first and then asks questions later. Taken individually, these incidents are cause for concern. Taken together, we must wonder whether this widespread activity is more than just coincidence.

We must also wonder why a distinguished institution has taken a political position in opposition and opposing those who have long championed the very values the military purports to uphold. Soldiers are being told with more frequency that religion has no place in the military. If they hope to rise in the ranks or escape punishment, they must leave their faith at the door.

The military is unique in its power to make broad demands over individual servicemembers, demands that can't be made over civilians. No one should be forced to choose between service to country and his or her faith. We must ensure that men and women in uniform have the ability to practice that faith without fear of reprimand.

The First Amendment secures the freedom of religious expression for all Americans, including those who protect our freedoms. How could we allow this liberty to be stripped away from our soldiers, our sailors, our pilots? Our brothers, sisters, mothers, and fathers in the Armed Forces all deserve the same rights and liberties that we enjoy—the very ones that they fought to protect. Let's defend them at home as they defend us abroad.

Again, thank you Congresswoman HARTZLER for doing this.

Mrs. HARTZLER. Thank you, Congressman HULTGREN.

I think that is a very good point—that we should defend their rights as they are defending us.

I am looking forward and very much appreciate my colleague from Michigan, who is here tonight as well, because he has put his life on the line, starting after high school, going to serve in Vietnam—I believe you were an infantry rifleman to start off with—and then ended up all the way serving with the military police over in Iraq.

First of all, thank you for your service. Thank you for what you are doing to defend freedoms even today as we talk about this important issue. So I yield time to you.

Mr. BENTIVOLIO. Mr. Speaker, I would like to thank the gentlewoman from Missouri for the opportunity to speak on this very important topic.

Mr. Speaker, a few months ago, I read a report that really bothered me. The story said that Army briefs labeled Evangelical Christians and Catholics as “extremists.” That really disturbs me, and it should disturb everyone in this room—in fact, everyone in this country.

We have to remember that the men and women in our Armed Forces represent a microcosm of America. Although they have a variety of beliefs, they work together to defend us. On the battlefield, the enemy doesn’t care what you look like or what God you worship. I serve God and country in that order, as did many of my fellow soldiers.

It was the greatest honor of my life to serve my country, first as an infantryman, as you said, and later in the Michigan Army National Guard for more than 20 years. I can say without a doubt that the soldiers I served with represented the best America had to offer. That is still true today as well. Millions of them are Christians. It is wrong and disrespectful to equate those who believe in traditional values with members of a hate group. Our military should grant mutual respect to everyone in the armed services, because that diversity is what makes America great.

Before I close, I would like to remind everyone about that famous prayer that was addressed or mentioned in the gentleman from Texas’ speech. A great general said before the soldiers embarked on that great, great battle on D-day:

Good luck. And let us all beseech the blessings of Almighty God upon this great and noble undertaking.

General Dwight D. Eisenhower.

Mrs. HARTZLER. Thank you.

We have another friend from California here, Representative DOUG LAMALFA. We are so glad that he is here, and I want to yield time to you to hear what your thoughts are on this very important topic of religious freedom in our military.

Mr. LAMALFA. Thank you, Mrs. HARTZLER. I really, really appreciate you leading the charge on this very important issue that is probably not noticed by a lot of Americans these days, but is certainly being noticed by those members of the military that wish to

express their religious freedoms as they see fit.

Indeed, that was really one of the cornerstone issues of the Founders on several items: on taxation, of course, on private property and private property rights, and very importantly, the ability of Americans in the new country to express their religious views as they see fit, to have the freedom to do that.

So it is rather amazing, and certainly appalling, that in our own military we see this going on where those rights are being suppressed, especially what we are hearing tonight with some of my previous colleagues’ speeches about Christianity. Having a Bible on a desk somehow is a problem for somebody? How have we gotten to this point here? How can people be labeled somehow as part of a terrorist organization when actually these are peaceful enterprises where you are trying to bring people together under the grace of God?

□ 1830

I have, in my Washington, D.C., office and in one of my district offices, this portrait here of General Washington as a reminder, as a way for me to continue to seek humility myself. General Washington, Valley Forge, what a man of principle, of humility, of grace. This picture captures so much. He knew it was important that he bow to God, and it certainly served him well and served the founding of this country at a very perilous time when the fledgling Revolutionary War could have gone either way at the time. He is an example for all of us back then and right now. That is why I like that portrait so much, and I am glad you brought it here tonight.

The reasons, as put by the Founders for our religious freedom, have been mentioned here. It is a right guaranteed by the First Amendment. Those who were willing to lay down their lives for us fought for that for all Americans, and we should be guaranteed this right without any questions asked.

So I feel it is a duty for me, as one Member of Congress, and my colleagues here tonight in speaking about this to work to fight to uphold that right. Who has taken over in our military that thinks that this is acceptable, to suppress this freedom of expression of religion? I don’t understand it. So we are here to protect those servicemembers as well and that ability to have that freedom.

We know that the chaplaincy was formed in 1775 at the behest of General Washington, who knew and acknowledged at that time how important religious freedom was to our soldiers. The chaplains exist to facilitate the free exercise of religion under the First Amendment for servicemembers, and they faithfully administer to servicemembers of all faith, or of no faith. I think that is a key thing to mention here.

We have all heard the story mentioned earlier as well about “there are

no atheists in foxholes.” You may have heard that phrase. It goes back to a story by Father Cummings, who was a civilian Catholic priest in the Philippines. The phrase was coined during the Japanese attack at Corregidor. During the siege, Cummings had noticed that non-Catholics were attending his services. Some he knew were not Catholic; some were not religious. Some he knew were atheists. Christ just brings out a desire for something greater than ourselves and a need to look within or above. With the pending surrender of Allied forces to the Japanese, Cummings began calming men down by reciting The Lord’s Prayer and offering up prayers on their behalf. He then uttered the famous phrase, “there’s no such thing as an atheist in a foxhole.”

Well, we all know there are all different types of religions in this Nation and people who practice no religion. They choose to have their own way of looking at things. And we embrace all that. Everybody has that right. Everybody has that ability.

So atheists are still allowed to be atheists, but to have a group of people dictate to everybody else—how many times have we seen these battles, such as a high school graduation, somebody wants to sue to stop a prayer or a nativity scene? If you don’t like it, don’t pay attention to it, because the rest of us sure see a lot of offensive things in TV and commercials and the T-shirts people wear, even people’s hygiene, and we don’t go around being able to stop them from expressing themselves that way.

So it certainly goes against the founding of this country to be oppressing people’s views; and, indeed, it is contributing to, I think, a breaking down of our military and its strength to have this kind of oppression going on.

So being able to join Mrs. HARTZLER tonight here and my other colleagues and pointing this out to the American public and then doing something about it here in these Halls of Congress is a necessary thing. I thank my colleague for bringing this topic up tonight and allowing me to speak.

Mrs. HARTZLER. I thank you for your kind words expressing how important it is we stand strong for our military. We want our military to be strong, and their ability to be able to pray and hold on to their faith, to express their faith is what makes them strong. It is part of it, so we don’t want to undermine that. Thank you for those words.

Now I turn to the gentleman from Mississippi (Mr. NUNNELEE), from Mississippi’s First District, to hear his thoughts on this and thank him for his letter that he authored to the Secretary of the Army that got a very positive response. So thank for your leadership.

Mr. NUNNELEE. Thank you, Mrs. HARTZLER, and I appreciate your leadership in this area.

You know, when the Framers of our Constitution put together this government and submitted it to the people, the American people looked at it and said, You did a good job, but it is not perfect. There is something that is missing, and that something is a Bill of Rights guaranteeing individual freedoms for all Americans. And so those 10 planks were constructed and added as part of the ratification process. I am convinced that if those 10 planks had not been added, the Constitution would not have been ratified. I do not believe it is insignificant that the first sentence of the First Amendment guarantees freedom of religion:

Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof.

And our men and women in the military take an oath of office to support and defend that very Constitution, but they do not surrender that First Amendment right immediately when they put on a uniform.

The trend of military instructors and officers portraying Christians and socially conservative nonprofit organizations as “extremists” and potential threats to our Nation is unconscionable. Recently, they labeled the American Family Association, a group in my district that by their very name indicates that they are committed to the preservation of the American people. The fact that they are labeled as an extremist organization, unbelievable.

These developments are part of what appears to be a mounting culture for religious intolerance and hostility towards Christians within the military. I do not believe that adequate steps have been taken to address the root cause of these incidents, and that is why I put together the letter that Mrs. HARTZLER referred to to the Secretary of the Army, along with a number of my colleagues, to communicate our concerns regarding these developments and ask for the details on what the Army is doing to foster a culture of religious liberty among our men and women in our military.

While our Founding Fathers prohibited the establishment of a State-established religion, they purposely did not restrict references to God or personal beliefs in civic dialogue, military service, or everyday life.

Mr. Speaker, the dais on which you sit, over which you preside this great House, has behind it the American flag. Above that flag are the four words of our national motto: “In God We Trust.”

Congress has a responsibility to fight attempts within our military to restrict the religious liberty of those who serve our Nation and work to safeguard these freedoms. It is intolerable for those brave men and women serving our country to be denied these very freedoms they are putting their lives on the line to defend.

Mrs. HARTZLER. Thank you very much for your leadership, and for bringing up those excellent points.

Now I would like to turn to the gentleman from Kansas (Mr. HUELSKAMP) to share his thoughts on this important topic, the military and religions freedom.

Mr. HUELSKAMP. Congresswoman HARTZLER, I appreciate your leadership on this topic. It is so essential, not just to our brave men and women serving in the military, but also to our foundation as a Nation.

I would like to identify two stories that occurred in the last month and a half in the military. They are very troubling.

During the government slowdown in October, the administration, it was reported in some parts of the media, required all chapels that were serviced by contract chaplains to be closed.

In particular, I visited with Father Ray Leonard, who served a naval base in South Carolina. He was not informed ahead of time. He showed up for Saturday evening mass to a locked door at the chapel. Door locked. It said, Come back. Shut down. Go away. People from his congregation were pouring into the parking lot and were forbidden, a locked door, not allowed to enter. He said, I want to volunteer. I want to do it for free. I want to say mass. The government said no.

Father Ray Leonard had a long history. He just had come back from serving as a missionary in China. His words were:

I expected that in China. I expected a locked church door in China, but not in America, not on a military base.

The Department of Defense decided they were going to punish men and women of faith by locking those doors.

Another case of a chaplain in Texas, the first day of the government slowdown, he was ordered to come to the office. By 10 a.m., his BlackBerry was taken from him. All of his contact information was taken from him, as was his computer. He was forbidden to answer any private calls. He was forbidden to answer emails. He was forbidden to communicate with any of the folks he was in the middle of counseling. Those are folks suffering from PTSD. During the entire shutdown, the government forbade him to serve as a chaplain.

It is those kinds of things that you are wondering what they are thinking at the Department of Defense in this administration because, as James Madison wrote, “conscience is the most sacred of all properties”—but if you refuse access to chaplains, the folks who are putting their lives on the line.

I was in the White House in April when the Congressional Medal of Honor was granted to Father Emil Kapaun from Kansas, and the President talked about his great history and how he inspired Catholics and Protestants and Jews and Muslims at that death camp, and he received an award and a tremendous honor. He was a tremendous man and a tremendous leader, but he is the very type of person that I believe today would not be allowed to serve in our

U.S. military. That is a shame. But most devastating, it is not just a shame; it is a loss to the men and women who are looking for that type of support, that type of encouragement, that type of inspiration. This was a Nation founded with his blessings, and then we turn around and lock the church door. We turn around and kick chaplains out who actually have views that differ with the administration. This is an attack on religious liberty in the military. Who will be there to defend the religious liberty of our members of the armed services? We are there.

Mrs. HARTZLER. Thank you very much. We started off with a poster of George Washington praying at Valley Forge. We have come a long ways in this country. You have heard the stories tonight of how that freedom to express religion is under attack. It is time for the pattern of intimidation and intolerance and coercion to stop. It is time to preserve and defend religious freedom to keep America strong and keep our armed services strong.

Mr. Speaker, I yield back the balance of my time.

PATENT LAW

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from California (Mr. ROHRBACHER) for 30 minutes.

Mr. ROHRBACHER. Mr. Speaker, I first would like to associate myself with the remarks of my colleagues that I have just heard. The struggle for freedom is a continuing struggle that started back with our Founding Fathers and will not end with us. Every generation has to pick up the torch or the light of liberty and justice will be extinguished and it will never be returned. Reagan always told us, it just takes one generation not to do their job, and we will have lost our freedom forever.

Tonight I would like to talk about a very significant part of our freedom and liberty, and it deals specifically with patents and intellectual property rights. I know sometimes over the years when they hear somebody is going to talk about patent law, there is a big yawn, but this has been a significant part of the success of the United States.

Our Founding Fathers believed that with technology and freedom and, yes, with profit motive, that this was the formula that would uplift humankind and that would make America a great country in which all of our people benefited from this greatness and the prosperity we would have here. They believed it so strongly that they wrote into our Constitution a guarantee of the ownership rights of inventors and authors. It is the only place in the body of the Constitution where the word “right” is used. The rest of the rights that we have just been talking about were part of the Bill of Rights.

But in the Constitution itself, article 1, section 8, clause 8, it states:

Congress shall have the power . . . to promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries.

□ 1845

This provision has served America well, leading to a general prosperity that has been the envy of the world. It has led to national security and it has led to, yes, average people living decent lives.

It is an integral part of the individual freedom based on rights that were granted by God that are at the heart of American society. It is the reason we have emerged among all the nations of the world with our people living free and living well.

It is not just something that is tangential. It is at the heart of our system. The right to own one's technology that they invent has catapulted our people, who started out to be very poor people on the east coast, into one of the world's greatest powers.

This provision has served America well, leading to prosperity, national security, and, yes, this average life of our people that we can be proud of.

Some people think it is just hard work that has caused this great success of our country. Yes, Americans work hard, but so do other people. Technology has made the difference. Technology multiplies the results of our work and the hard work of our people into prosperity. That is the secret of America's success. It is technology and freedom, and, yes, it was our strong patent system that made this difference.

We have had a strong patent system since the founding of our country, as I just pointed out. Yet, today, multinational corporations, run by Americans, want to diminish the patent protection that our country has had traditionally. Over the years, we have fought—and I say we fought, meaning since I have been in Congress for 25 years, we have fought time and again and fought back—sometimes defeating, sometimes having to compromise—but these have been attempts to weaken our patent system, which is the basis of American prosperity.

What has been happening over the years? For example, we have had a strong patent system in the United States, but a weak patent system in the rest of the world. That is why they are not prospering. Their patent systems were set up so that big guys could rob from the little guys. Our patent system was set up as a recognition that the ownership of one's discoveries and creations is a gift from God and can't be stolen by a power-grabbing big company.

Overseas in Japan and Europe, that just isn't true. They have tried over these last 25 years to harmonize our law with the European law and the

Japanese law. They call it "harmonizing with the rest of the world." The trouble is they want our law to be weakened, rather than bringing up the other laws from around the world to our standards. For example, up until recently—there has been a little change in this; I managed to fight it back—they were trying to propose that we have a publishing law for a patent application that they have overseas. What do they have overseas? In Japan and in Europe, someone files for a patent, and if the patent hasn't been issued within 18 months, the patent is published.

Our system in the United States has been the opposite. You file for a patent, and it has been against the law for anyone to even indicate what is in that patent application until the patent is issued. If it takes 1 year, 2 years, 10 years because it is such a complicated issue, however long it takes, traditionally our inventors knew that no one was going to get a hold of their patent information until the patent was granted.

Again, in Europe, what they wanted to do and tried to do here in this body—but we fought them back—was have that same system. I called it the "Steal American Technologies Act" because after 18 months all of our secrets would have been published even before the patent was issued.

Also, we have had a tradition in the United States that you do get a certain time of protection. That is what our Constitution says. Traditionally, it has been 17 years, but that 17 years starts from when you are issued the patent.

In Europe, after 20 months, no matter if you got that patent or not, that clock starts ticking, and by the time you would end up with a patent, if it was a very complicated, high-tech patent, sometimes you have lost all but a year, maybe even all of your time in which to enjoy the rights and the rewards of having invented something. Under our system, once that clock starts—but it only starts after you have been issued your patent, and then you get 17 years of guaranteed time.

These people in these major corporations were trying to change that. They were trying to emasculate the rights of American inventors, saying we need to harmonize with the rest of the world. Who would be doing such a thing, and why would they be doing it?

The reason they were doing it is they want to steal from the American inventor the same way these big boys have been stealing from people in Europe and in Japan and inventors throughout the world. Well, let me once again note that for 25 years I have been finding myself fighting for the small inventors, struggling to defend the patent rights for these young, and maybe not young, maybe just people who are middle-aged and old, as well, but people who are not people who have means, but people who have ideas, people who are creative, people who come up with the breakthroughs that have changed our way of life.

Philo Farnsworth has a statue here. He is a man in Utah who invented the picture tube. RCA didn't invent it. RCA tried to steal it from him. This is one man who fought this all the way to the Supreme Court, and the Supreme Court sided with this one lower-income individual who, I might add, had to enlist people to invest in his court case against RCA in order to fight that case to the Supreme Court. There is a statue in our Congress to Philo Farnsworth, the inventor. There is no statue to Mr. Sarnoff, who headed RCA and tried to steal that from him, knowing that he was stealing somebody else's invention so he wouldn't have to give credit to this hick from Utah.

Supposedly there has always been some excuse that has been used by these corporations, these multinational—not just national corporations—people who have businesses all over the world. Some of them are headed by Americans; some of them not. Even Americans no longer think they have to watch out for the United States. They are watching out for the global interests of their company. They have to have some reason or excuse of why to take away or diminish the patent rights of our own people and to harmonize it with somebody else.

In the past, they have used the excuse of the "submarine patent." This is just one of the derogatory terms they came up with in order to justify the fact that they were diminishing the property rights of our intellectual inventors and those people who are coming up with our new technology, and they come up with these derogatory terms, and it sounds good. These big companies have big PR firms in order to come up with a term that can then be used as sort of an excuse, a cliché to say "yes" to diminishing America's patent protection for the little guys. After all, who would support these big multinational corporations, they said. We just want to take anything these people invent and give them whatever we want to give them, or not give them anything. We want to have a right to steal from them, and that is why we are trying to change the rules. They would never get anywhere. Instead, oh, business is being treated unfairly by submarine patentors. That is what they have used before, and now they have a new term.

In this wave, this onslaught—as I said, we have been facing this wave after wave for 20 years. They keep coming back, trying to diminish our patent structure. Now they insist that we need patent change because of the threat of the so-called "patent troll," not to be mistaken with a submarine patentor. That was the last one. There will always be some, as I say, pejorative word that their PR firm, which they pay a lot of money to, can come up with that seems to be sinister enough to scare the American people into emasculating our patent system and letting the big guy steal the ideas from the little guys.

These so-called “patent trolls” are actually patent holders or companies who represent patent holders. They are either people who themselves invented patents or they represent the companies who actually have bought in to patents, who represent the patent holders themselves. They are engaged basically in defending the patent rights against the infringement of those rights of the patents they own. Their patents are no different than anybody else’s patents.

They call them “patent trolls,” but what we have got here are just people who are engaged in the business of enforcing patents that are not being enforced. They basically are seeking to protect some little guys who don’t have the money, or to see that they can join in partnership with people in order to maximize their benefit from the patents which these people hold. They are valid patents. There is all this innuendo and sinister thoughts and phrases coming out to make it sound like we are not talking about real, legitimate patents. I am talking about people who have invented legitimate patents that have been granted by the Patent Office. We are also talking about huge corporate infringers that would have us believe that those patents are unfair and evil because patent trolls are involved.

So what makes the difference between the good patents owned by large corporations themselves—these corporations we are talking about do own patents, and, quite frankly, quite often go and try to enforce other patents that they have accumulated and bought. What makes them so different from the patent trolls? The patent troll has been identified as someone who is out for profit from technology that he or she did not invent. Oh, my goodness. You have got somebody who didn’t invent something and they want to make some money out of it by investing and/or joining a partnership with somebody who did invent it. That is not something as sinister as patent troll sounds.

We know that lawyers can file illegitimate lawsuits and try to get people to settle just because they don’t want to go through the procedures. That doesn’t mean we should destroy the right of people to sue when they have a legitimate claim because some lawyers go out and misuse the system. That should be up to a judge or a jury, not a restriction on the right of people to file suit in order to protect the rights and to gain compensation if their rights have been violated.

If the small inventor doesn’t have the resources to enforce his or her patent, an individual or a company can buy those rights, and they can actually buy them just like you would buy a piece of property. That is what it is, intellectual property. They can buy these, or they can create a partnership with the inventor, and that means that they can then try to seek a suit or some sort of compensation from those who are infringing on those patents.

I have consulted with a number of outside individual inventors and groups, and they have reaffirmed to me that the legislation that is being now proposed by the Judiciary Committee further disadvantages the little guy against the deep-pocketed, multinational corporations that are behind the changes that are now being proposed in the United States Congress, which I will detail in a few moments.

Yes, they are using the guise of targeting these patent trolls. They hope to achieve a legislation that will prevent little guys from actually selling their product to these big guys, or have a dramatic impact on the ability—it would probably be more accurate to say will have a dramatic impact on the ability of people who own patents to actually file suit against those big infringers, and they do this in the name of controlling the patent trolls. Again, I say, what does that mean? That is someone who necessarily hasn’t invented something but is working with the inventor to see that those rights are respected.

How horrible it is to make a business helping small inventors or partnering with people in order to see that they have the resources to enforce their patent rights against large corporations, mainly, or even if they are medium-sized corporations who are infringing on a patent, meaning they are using this invention, and the inventor comes in and says, You are infringing on my patent. Pay me for the rights of using this while I still own it. The answer is “sue me” because the big corporations know full well that they have deep pockets, and they can handle anything, and the little guy, especially if they get this law passed, the little guy is not going to be able to seek help, and it is going to be much more complicated for him.

□ 1900

Tonight I draw the attention of the American people to H.R. 3309, the Innovation Act they call it this time, introduced by Chairman GOODLATTE with 14 bipartisan cosponsors.

This bill is scheduled to be marked up in the House Judiciary Committee next week, even though the committee has only held one hearing since this bill was introduced, and it was only introduced 8 legislative days ago. So something is being rammed through the process here big time. People need to see that.

And what are they trying to do?

Why are they ramming it through?

Because this is the multinational corporations who want to diminish the rights of the little guy; and only, we, the American people, can stop that with our sense of fairness and our commitment to making sure America remains the technological leader of the world, and that that isn’t in the hands of these multinational corporations who aren’t necessarily in allegiance with the United States.

The witnesses from these hearings on this legislation have included former

Patent Office Director Kappos, and he made it clear that we should move slowly and with great care in making the many changes to the patent law that are part of this legislation, especially in light of the fact that no one yet understands the implications of the last patent bill that was passed through Congress during the last Congress.

They passed a patent bill called the America Invents Act, which is in the process of being implemented and interpreted by the Patent Office and by the courts. So we haven’t digested that last bite the Congress took out of the patent law apple, and now they want us to gobble down a few more.

In and of itself, this legislation is too broad, its implications are too unclear, and its impact and effects are unknowable. That is what witnesses and other experts have indicated; and the conclusion is move forward with caution, not ram something through in just a few days.

But that is not what is happening. Congress is being railroaded into passing this legislation on top of the last legislation which we haven’t even figured out how it works yet; and now, of course, they have got the patent trolls which they are telling us to be afraid of.

So we don’t have to worry about any of that. Don’t think. Just remember patent trolls are sinister, and we have got to stop them and pass this bill. That is what most of these people are hearing here in Congress. Congress needs to hear from their own constituents about bills like this.

So what is going on?

This congressional ramrodding exemplifies the battle to diminish America’s patent system, and it has been going on for 25 years, wave after wave of attack on America’s patent system. We fought them back most of the time, but this time we could lose. And you lose one, that system is changed forever.

According to the cosponsors of H.R. 3309, it is an attempt to combat this problem of patent trolls—and here it is—even though the study mandated by Congress in the last patent bill—they mandated this study by Congress, and that study that was mandated by the last law—shows that this whole much-heralded patent troll problem is not the major driver of lawsuits that we are being told, and has not created, N-O-T created a surge of new lawsuits.

Most of the provisions of the legislation they will pass through committee next week will make it much more complicated, much more costly, much more challenging to bring a lawsuit for patent infringement. That is what it is all about. They want to make it more difficult to challenge them.

Instead, if what we are really talking about are people abusing the patent system in order to abuse these businessmen, we should be, instead, making it cheaper and simpler and easier to defend against baseless accusations of infringement.

We are being asked to raise the bar for an inventor to bring a lawsuit to defend his or her rights, rather than lowering the bar to allow a small business to defend itself against frivolous lawsuits.

In addition, the claim of technical correction, under that claim, this legislation proposes to remove the patent system's only independent judicial review process, section 145 of title 35. If this passes, inventors who are not satisfied with the Patent Office administrative process will have no recourse, no recourse, although this safeguard of judicial recourse has been in American law since 1836.

This isn't some antiquated process. It is an independent judicial review; and last year the Supreme Court, in *Kappos v. Hyatt*, reaffirmed the importance of having judicial review when you have people in the Patent Office who are defining the property rights of American inventors, something so important to our country.

Now, the Patent Office has requested that judicial review be done away with because it is burdensome for them to defend their actions in court on the rare occasion that this happens. So, oh, it is burdensome.

Well, the Patent Office wants to strip away the rights of Americans because it is inconvenient to the bureaucracy. Boy, here is where we have got the bureaucracy and multinational corporations working hand-in-glove.

This legislation going before the Judiciary Committee here in the House next week is consistent with the decades-long war being waged on America's independent inventors.

Here are some of the sections of that bill I have been talking about, H.R. 3309, which will be going through the Judiciary Committee next week, and how it undermines America's patent system and patent rights of the little guy and opens up power grabs by the multinational corporations, which is something we have been experiencing for the last 25 years and have had to beat back every time.

Well, here we go. Here are some provisions of this bill: H.R. 3309 creates additional information requirements, which means when you are filing a legal case for infringement it is going to cost you a lot more. There is more paperwork and thus more potential for a dismissal of the case just on a technicality.

More paperwork means higher costs, more likely to have the case thrown out on a technicality, which then increases, not decreases, the chances of small patent holders being infringed.

This bill also switches to "loser pays." And of course, "loser pays" sounds like a good idea; but when you talk about this in terms of patent rights, what we have got is these huge corporations who have got deep pockets, and if you end up having "loser pays," the little guy knows for him to actually try to have the loser pay means that this big corporation can

put massive expenses on to their defense, where you have only a smaller amount that is available, so you are then put in great disadvantage.

We are, again, making the little guy, putting them at the disadvantage of these big, multinational corporations.

H.R. 3309 adds a new dimension to this "loser pays." It allows the Court to bring others into the case involuntarily, as a plaintiff, if they have an interest in the patent they make them liable for the cost. So if you have somebody, like Milo Farnsworth, whose patent was stolen, whose idea was stolen, anybody who would invest in his lawsuit, which is what he had to do in order to take it all the way to the Supreme Court—and God bless the Supreme Court of the United States and the United States of the America, that we have a court that sided with this little guy.

But now they want to change that so the Milo Farnsworths can't get people to invest in their suit because at that point they, then, are liable for the court costs of the big corporation that is being taken on.

This is so broad that people can be made part of an infringement case, even if their interest in the patent is just legal or innocent, such as those who have licensed the patent.

This, combined with the "loser pay" provision, means that if the patent holder loses the infringement suit, anyone who has done business with him may lose or be held financially liable. What a disincentive for people to support the efforts of small inventors.

This is absurd. But yet this is what is going to be going through the Judiciary Committee next week, just like they have tried to push this on us for 25 years. And the players behind this are big, multinational corporations trying to steal the technology that has been invented by America's small inventors.

H.R. 3309 allows the courts to limit discovery until clarifying the patent and infringement claim.

What does that mean? The case will take longer and thus cost more.

The transparency of patent ownership, once filing a claim for infringement, a patent holder must, according to the provisions of this proposed legislation, provide information about all parties with an interest in the patent to the Patent Office and to the accused infringer.

As a result, we have an elimination of privacy in these business dealings. The little guy is totally exposed, as are his friends.

Here again we are trying to do everything we can, and this legislation is trying to do everything that it can to try to get people not to support the little inventor. Don't get on his side. Don't give him any strength to enforce his rights because he invented something that now some multinational corporation has stolen and wants to manufacture in China.

Once this requirement has been invoked, the patent holder must main-

tain—here it comes—the patent holder will also have to maintain a current record of information on file in the Patent Office. Thus we have, again, bureaucratic reporting requirements for these little inventors.

That, to a big corporation, means nothing. To a small inventor, it means all of his time, all of his resources. And if, indeed, they do not report—let's put it this way, if he doesn't report it right, he could lose the intellectual property rights he is trying to protect.

In addition, the patent holder would be forced to pay recordkeeping fees to maintain a current record at the Patent Office. There we have bureaucratic fees all aimed at the little guy, because the big guys can afford this. They have got people on the payroll. They have got lawyers on the payroll.

Then we have the customer suit exemption. This section appears to remove all of the current section 296 of title 35, which specifically allows—here it goes, this is really significant—this allows inventors to sue governments who infringe on their patents.

What we are talking about here is, if a government steals a person's intellectual property, it permits them to get away with it. This emasculates the right of the American inventor, American people, to hold their government accountable if the government steals their technology. This is totally contrary to American tradition.

Limits of discovery in a court case, unless the judgment determines necessary and appropriate, again, an infringer, and this is section 6 of H.R. 3309, an infringer, especially big ones like large multinational corporations, may make an infringement paper trail.

This requires a paper trail, what we are saying here, this section, that is so broad and so diverse that a plaintiff will have to ask repeatedly for discovery.

The SPEAKER pro tempore. The gentleman's time has expired.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3350, KEEP YOUR HEALTH PLAN ACT OF 2013

Mr. BURGESS (during the Special Order of Mr. ROHRBACHER), from the Committee on Rules, submitted a privileged report (Rept. No. 113-265) on the resolution (H. Res. 413) providing for consideration of the bill (H.R. 3350) to authorize health insurance issuers to continue to offer for sale current individual health insurance coverage in satisfaction of the minimum essential health insurance coverage requirement, and for other purposes, which was referred to the House Calendar and ordered to be printed.

□ 1915

OBAMACARE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the

gentlewoman from North Carolina (Ms. FOXX) for 30 minutes.

Ms. FOXX. Mr. Speaker, the decisions we make in this body matter to the people in this country. They matter to families. When Obama and the Democrats in Congress, with no Republican votes, chose to radically alter health care—something that impacts every American and compromises one-sixth of the United States economy—the effects extend well beyond committee hearing rooms, courtrooms, and government office suites. The effects are felt in doctors' offices. They are felt in homes across the Fifth District I represent. They are felt by moms and dads who are finding out the health care that they had counted on keeping, insurance they had budgeted for and know they can afford, won't be around next year.

Earlier this month, it was estimated that 160,000 North Carolinians received that unwelcome news. My constituent Dawn from Wilkes County is one of them. She wrote to me to tell me exactly how Washington's interference with her health care is affecting her. Let me let Dawn speak for herself.

Dear Representative FOXX: Never in my life have I been without health insurance. I am writing to share with you the impact of the Affordable Care Act on my health care options.

I work part-time and purchase my own health insurance. In order to have an affordable monthly premium and to have the possibility of budgeting for dental and vision care as well as general medical care, I have had a high-deductible health savings account, HSA, for several years.

The Affordable Care Act has eliminated my current HSA with BlueCross BlueShield of North Carolina. I currently have an annual deductible of \$5,000 and a monthly premium of \$160.30.

The ACA-compliant replacement policy which I have been offered by BlueCross BlueShield will have a \$5,500 annual deductible and will cost \$478.60 per month. Even with a 10 percent higher deductible, this new plan will cost \$318.30 per month more than what I can now afford. That is a 198 percent increase—almost three times what I now pay—for a plan with a higher deductible. Please help me understand how this is affordable care.

My husband and I do not have cable or satellite television, high-speed Internet, smartphones, or other optional services which we can cancel in order to pay the astounding increase in my health insurance premium. We do qualify for a partial subsidy to help cover the premium, but that does not change the \$5,743.20 annual price for this meager health insurance policy. It merely shifts part of the expense to our children and some other taxpayers.

I have spoken with representatives in the health care exchange and www.healthcare.gov and with independent insurance brokers, but they offer little hope. Do I have any option in order to continue to live within my means and afford to pay for my own health care? I am truly bewildered.

Sincerely,

DAWN.

Mr. Speaker, reading Dawn's letter breaks my heart. This is a woman who plans ahead. She budgets carefully. She takes pride in her work and responsibility for herself and for her family.

ObamaCare is changing things drastically for her and millions of other Americans like her.

With about a month to go before the Affordable Care Act renders her current health insurance illegal, Dawn is left with questions, the last of which I will repeat again:

Is it possible to live within my means and afford to pay for my own health care?

Americans took the President at his word when he said they would be able to keep the care and doctors they liked. They trusted that a law called the Affordable Care Act would actually make health care more affordable. They believed that the President wouldn't raise taxes on the middle class through this law.

Mr. Speaker, the President's broken promises are hurting families like Dawn's, but the higher premiums and the canceled plans are central to ObamaCare. The law will work only if many Americans are compelled to leave their current plans and pay more for government-approved insurance.

Now, as the country is becoming better acquainted with this very sad reality, Democrats and Republicans in Washington must recognize that repeal is still the only way to solve all of ObamaCare's problems.

The answer to America's health care challenges is not going to be found in 100 percent partisan solutions like the Affordable Care Act. We should work together to enact honest, patient-centered reforms that empower families like Dawn's with choices and custom care options so that she can continue to pay for health care and still live within her means.

Mr. Speaker, I now yield to the gentleman from California.

Mr. ROHRBACHER. I appreciate the gentlewoman yielding to me to finish my remarks.

Section 6 of H.R. 3309 calls for a limit on discovery when we are talking about patents. Just so you will know again, one of the results of these innocuous things is hard to understand. What it means is that if you limit the discovery when someone says, "I invented this, and I am trying to have discovery with a huge corporation to find out how they infringed on my patent," if you limit that discovery and that little guy has to have more motions, it costs a lot more money and, thus, the little guys can't afford to bring a suit against the big guys.

So basically what we have got is a list of things in this bill that make it extremely more difficult for the little guy to afford to support and defend his own patents. And on top of that, then we have this attack on patent trolls who are there to try to assist anybody that can't afford to enforce his or her own patent. This is a boon to the huge corporations, the multinational corporations, and perhaps foreign corporations who also get involved in this.

Let us note that section 7, Small Business Education, Outreach, and In-

formation Access, says that the Director of the Patent Office will create a database on "patent trolls," thus creating a strategy to teach businesses how to defend themselves against patent trolls. You know what we have got here? We have got the creation of an enemies list. That is what we have here. Justification for people to be put on an enemies list if they are out trying to help small inventors enforce their patents.

And finally, let me just note here, section 9, Improvement and Technical Corrections to the Leahy-Smith America Invents Act, states it eliminates section 145 of title 35. Again, this is one of the most important things they are trying to slip through this process. This would, again—and I am repeating this because it is so important—eliminate the independent judicial review of patent applications, which has been the law of the land since 1836. A huge emasculation, a cut in the rights of people who are seeking patents, inventors, the creative people in our country. This would eliminate their right—if the Patent Office is not treating them fairly or has made a mistake—for a judicial review that has been a right of the Americans since 1836. This is horrendous.

This bill that is being considered next week by the House Judiciary Committee is not reform. It is an antipatent bill consistent with decades-long antipatent attacks by multinational corporations who want to emasculate America's patent system. And these multinational corporations may or may not be headed by Americans, but they are not watching out for the interests of our country; and especially, they aren't watching out for the innovators and inventors of our country.

I ask the American people, the patriots, to call their Members of Congress and oppose H.R. 3309, the Innovation Act.

And I would add one last element, as my colleague was just talking about the ObamaCare issue that we have been discussing here. One of the things that I have found most objectionable about the Affordable Care Act, they have a provision in that bill that gives a 2.5 percent tax on the gross receipts of anyone who invents a medical device.

Our inventors have helped increase the standard of living of our people, have improved the chances for survival, survival of people's families by inventing new technologies that have enabled us to fight diseases, that have taken millions of people throughout the history of the planet, taken them away in horrible agony. We have our innovators and our inventors now creating these new things.

I have a personal situation where a loved one is suffering from cancer, and that loved one has had implanted in her a little—it is a portal, they call it. It is under the skin, and it permits this person to have chemotherapy and blood transfusions without having to go through the vessels, the blood vessels.

This invention has saved this person's life, because 20 years ago, that young girl would probably have had collapsed blood vessels or died of some type of situation from infection from putting the needles in one's arm. This is what happened 20 years ago and why the survival rate now of such cancer patients has gone up.

I feel like hugging the person who invented that device. That person deserves our love and gratitude. This administration has seen fit to punish this person for this creativity and this innovation.

This administration put a 2.5 percent tax not on the net, not after all the expenses that this inventor went through to invent this, all the expenses to go into producing it, all the expenses that go into distributing it, making sure people knew how to use this new device. No, no. This is a 2.5 percent tax on the gross income. It is a horrendous penalty on the person who has saved the lives of all these people. That is what this Affordable Care Act is all about. That is what ObamaCare is all about.

In some misguided idea that we are going to redistribute the wealth and take care of everybody through government, we are now doing things that are of great harm to the people in this country, not just to the infrastructure, the financial infrastructure of our health care which is collapsing under the incompetence of this law that is foisted upon them with lies, no, but also we are now facing a situation where the very heart and soul of human progress, medical technology, is being punished through this law.

I join with my colleagues and say that this is something we should all join together, repeal, and start again and try to do a better job next time.

Ms. FOXX. I thank my colleague for his comments and yield back the balance of my time.

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 330. An act to amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs infected with human immunodeficiency virus (HIV).

S. 893. An act to provide for an increase, effective December 1, 2013, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on November 6, 2013, she presented to the President of the United States, for his approval, the following bills:

H.R. 2094. To amend the Public Health Service Act to increase the preference given,

in awarding certain asthma-related grants, to certain States (those allowing trained school personnel to administer epinephrine and meeting other related requirements).

H.R. 3302. To name the Department of Veterans Affairs medical center in Bay Pines, Florida, as the "C.W. Bill Young Department of Veterans Affairs Medical Center".

ADJOURNMENT

Ms. FOXX. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 29 minutes p.m.), the House adjourned until tomorrow, Friday, November 15, 2013, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3646. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting The Department's final rule — Defense Federal Acquisition Regulation Supplement: Private Sector Notification Requirements of Insourcing Actions DFARS Case 2012-D036 (RIN: 0750-A105) received October 31, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

3647. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: New Free Trade Agreement-Panama (DFARS Case 2012-D044) (RIN: 0750-AH79) received October 31, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

3648. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Amendment to Standards and Practices for All Appropriate Inquiries [EPA-HQ-SFUND-2013-0513; FRL-9902-22-OSWER] received October 29, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3649. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Ohio; Redesignation of the Columbus Area to Attainment of the 1997 Annual Standard for Fine Particulate Matter [EPA-R05-OAR-2011-0597; FRL-9902-00-Region 5] received October 29, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3650. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Wisconsin; Removal of Gasoline Vapor Recovery from Southeast Wisconsin [EPA-R05-OAR-2012-0891; FRL-9900-17-Region 5] received October 29, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3651. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Atlanta, Georgia 1997 8-Hour Ozone Nonattainment Area; Reasonable Further Progress Plan [EPA-R04-OAR-2013-0147; FRL-9902-19-Region 4] received October 29, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3652. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Florida; Infrastructure Requirements for the 2008 8-Hour Ozone National Ambient Air Quality Standards [EPA-R04-OAR-2012-0692; FRL-9902-25-Region 4] received October 29, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3653. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — D-Glucopyranose, oligomeric, decyl octyl glycosides; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2013-0165; FRL-9901-95] received October 29, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3654. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Fomesafen; Pesticide Tolerances [EPA-HQ-OPP-2012-0589; FRL-9401-8] received October 29, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3655. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Imazapyr; Pesticide Tolerances [EPA-HQ-OPP-2012-0583; FRL-9401-9] received October 29, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3656. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Modification of Significant New Uses of 1-Propene, 2,3,3,3-tetrafluoro- [EPA-HQ-OPPT-2008-0918; FRL-9901-97] (RIN: 2070-AB27) received October 29, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3657. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting the Commission's assessment of Demand Response and Advance Metering, pursuant to Section 1252 of the Energy Policy Act of 2005; to the Committee on Energy and Commerce.

3658. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Regulatory Guide 1.110 Cost-Benefit Analysis for Light-Water-Cooled Nuclear Power Reactors, Revision 1 received October 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3659. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-55, Notice of Proposed Issuance of Letter of Offer and Acceptance, pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

3660. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 13-54, Notice of Proposed Issuance of Letter of Offer and Acceptance, pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

3661. A letter from the Assistant Secretary, Department of Defense, transmitting a Report on Proposed Obligations for the Cooperative Threat Reduction; to the Committee on Foreign Affairs.

3662. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers employed by the Pantex Plant in Amarillo, Texas, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of

2000 (EEOICPA); to the Committee on the Judiciary.

3663. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers employed at the Pantex Plant in Amarillo, Texas, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

3664. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers employed at the Feed Materials Production Center (FMPC) in Fernald, Ohio, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk or printing and reference to the proper calendar, as follows:

Mr. BURGESS: Committee on Rules. House Resolution 413. Resolution providing for consideration of the bill (H.R. 3350) to authorize health insurance issuers to continue to offer for sale current individual health insurance coverage in satisfaction of the minimum essential health insurance coverage requirement, and for other purposes (Rept. 113-265). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BARTON (for himself, Mr. RUSH, Mr. CASSIDY, Mr. FARENTHOLD, Mr. COHEN, Ms. DELAURO, Mr. ELLISON, Ms. NORTON, Ms. SCHAKOWSKY, Mr. TIERNEY, and Ms. TSONGAS):

H.R. 3481. A bill to amend the Children's Online Privacy Protection Act of 1998 to extend, enhance, and revise the provisions relating to collection, use, and disclosure of personal information of children, to establish certain other protections for personal information of children and minors, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GARRETT (for himself, Mrs. CAROLYN B. MALONEY of New York, Mr. KING of New York, Mr. LUETKEMEYER, Mr. HIMES, Mrs. BACHMANN, Mr. WESTMORELAND, Mr. AL GREEN of Texas, Mr. HURT, Mr. FINCHER, Mrs. MCCARTHY of New York, Mr. MULVANEY, Mr. ROSS, Mrs. WAGNER, Mr. MURPHY of Florida, Mr. CASSIDY, Mr. SESSIONS, Ms. ROS-LEHTINEN, Mr. DEUTCH, Mr. MCCAUL, Mr. HARPER, Mr. CULBERSON, Mr. DUNCAN of Tennessee, Mr. BOUSTANY, and Mr. GRIFFIN of Arkansas):

H.R. 3482. A bill to amend the Securities Investor Protection Act of 1970 to confirm that a customer's net equity claim is based on the customer's last statement and that certain recoveries are prohibited, to change how trustees are appointed, and for other purposes; to the Committee on Financial Services.

By Mr. POLIS:

H.R. 3483. A bill to amend title 18, United States Code, to provide exceptions from the

firearm prohibitions otherwise applicable in relation to marijuana if its possession is lawful under State law; to the Committee on the Judiciary.

By Mr. JOHNSON of Georgia (for himself, Mr. MORAN, Mr. ELLISON, Mr. CARSON of Indiana, Mr. LEWIS, Mr. DAVID SCOTT of Georgia, Mr. GRAYSON, Ms. JACKSON LEE, and Mr. CONYERS):

H.R. 3484. A bill to prohibit certain individuals from possessing a firearm in an airport, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PRICE of Georgia (for himself, Mrs. BACHMANN, Mr. BISHOP of Utah, Mrs. BLACKBURN, Mr. BUCHSHON, Mr. CASSIDY, Mr. CHABOT, Mr. COLE, Mr. CRAWFORD, Mr. CRENSHAW, Mr. DUNCAN of South Carolina, Mr. FLEMING, Mr. FLORES, Mr. FRANKS of Arizona, Mr. GINGREY of Georgia, Mr. HARPER, Mr. HUDSON, Mr. HUELSKAMP, Ms. JENKINS, Mr. SAM JOHNSON of Texas, Mr. KINGSTON, Mr. KING of Iowa, Mr. LAMALFA, Mr. MARCHANT, Mr. MULVANEY, Mr. OLSON, Mr. PITTENGER, Mr. PITTS, Mr. RADEL, Mr. RIBBLE, Mr. ROSS, Mr. SALMON, Mr. SESSIONS, Mr. WESTMORELAND, Mr. WILSON of South Carolina, and Mr. YOHIO):

H.R. 3485. A bill to provide protections for workers with respect to their right to select or refrain from selecting representation by a labor organization; to the Committee on Education and the Workforce.

By Mr. GRAVES of Georgia (for himself, Mr. DUNCAN of South Carolina, Mr. WOODALL, Mr. DESANTIS, Mr. HUIZENGA of Michigan, Mr. WEBER of Texas, Mr. AMASH, Mr. ROKITA, Mr. WESTMORELAND, Mr. STUTZMAN, Mr. GOHMERT, Mr. FRANKS of Arizona, Mr. JONES, Mr. HENSARLING, Mr. MULVANEY, Mr. SCHWEIKERT, Mr. LONG, Mr. BROWN of Georgia, Mr. GINGREY of Georgia, Mr. BRADY of Texas, and Mr. HUELSKAMP):

H.R. 3486. A bill to empower States with authority for most taxing and spending for highway programs and mass transit programs, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MILLER of Michigan (for herself, Mr. BRADY of Pennsylvania, Mr. GINGREY of Georgia, Mr. HARPER, Ms. LOFGREN, Mr. NUGENT, Mr. ROKITA, Mr. SCHOCK, and Mr. VARGAS):

H.R. 3487. A bill to amend the Federal Election Campaign Act to extend through 2018 the authority of the Federal Election Commission to impose civil money penalties on the basis of a schedule of penalties established and published by the Commission, to expand such authority to certain other violations, and for other purposes; to the Committee on House Administration.

By Mr. MEEHAN (for himself, Mr. DEFazio, Mr. BISHOP of Georgia, Mrs. BLACKBURN, Mr. BRADY of Pennsylvania, Mrs. BROOKS of Indiana, Mr. BROWN of Georgia, Mr. CARSON of Indiana, Mr. CASSIDY, Mr. CHAFFETZ, Mr. COLE, Mr. CROWLEY, Mr. RODNEY DAVIS of Illinois, Mr. GERLACH, Mr. GIBSON, Mr. GENE GREEN of Texas,

Mr. GRIMM, Mrs. HARTZLER, Mr. HIGGINS, Mr. JOHNSON of Ohio, Mr. JOHNSON of Georgia, Mr. JONES, Mr. JOYCE, Mr. KEATING, Mr. KING of New York, Mr. LANCE, Mr. LOBIONDO, Ms. MCCOLLUM, Mr. MCKINLEY, Ms. MENG, Mrs. MILLER of Michigan, Mr. NADLER, Mrs. NAPOLITANO, Mr. PALLONE, Mr. PASCRELL, Mr. PETERS of Michigan, Mr. RANGEL, Mr. RENACCI, Mr. ROGERS of Alabama, Mr. SCALISE, Ms. TITUS, Mr. WESTMORELAND, Ms. WILSON of Florida, Mr. FITZPATRICK, Mr. SOUTHERLAND, Mr. RAHALL, Mr. BUCHSHON, Mr. LARSEN of Washington, Mr. GEORGE MILLER of California, Mr. HUIZENGA of Michigan, Mr. COURTNEY, Mr. SESSIONS, Mr. LEWIS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RUIZ, Mr. COLLINS of New York, Mr. STIVERS, Ms. BROWN of Florida, Ms. DELAURO, Mr. POE of Texas, Mr. RADEL, and Mr. GRAVES of Georgia):

H.R. 3488. A bill to establish the conditions under which the Secretary of Homeland Security may establish preclearance facilities, conduct preclearance operations, and provide customs services outside the United States, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TIBERI (for himself, Mr. LIPINSKI, Mr. BOUSTANY, Mr. SCHOCK, Mr. BRADY of Texas, Ms. JENKINS, Mr. SAM JOHNSON of Texas, Mr. REICHERT, Mr. GRIFFIN of Arkansas, Mr. MCINTYRE, Mr. TURNER, Mrs. BLACK, and Mr. MURPHY of Florida):

H.R. 3489. A bill to amend section 1341 of the Patient Protection and Affordable Care Act to repeal the funding mechanism for the transitional reinsurance program in the individual market, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GRAVES of Missouri (for himself and Mr. CLAY):

H.R. 3490. A bill to amend the Internal Revenue Code of 1986 to extend and expand the deduction for certain expenses of elementary and secondary school teachers; to the Committee on Ways and Means.

By Mr. McDERMOTT:

H.R. 3491. A bill to amend the Internal Revenue Code of 1986 to regulate and tax Internet gambling, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. LUMMIS (for herself and Mr. BISHOP of Utah):

H.R. 3492. A bill to provide for the use of hand-propelled vessels in Yellowstone National Park, Grand Teton National Park, and the National Elk Refuge, and for other purposes; to the Committee on Natural Resources.

By Mr. WALBERG:

H.R. 3493. A bill to require a pilot program on the provision of certain information to State veterans agencies to facilitate the transition of members of the Armed Forces from military service to civilian life; to the Committee on Armed Services.

By Mr. BLUMENAUER (for himself, Mr. COBLE, Mr. MCCAUL, and Mr. DEFazio):

H.R. 3494. A bill to amend title 23, United States Code, with respect to the establishment of performance measures for the highway safety improvement program, and for

other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CÁRDENAS:

H.R. 3495. A bill to amend the Food, Conservation, and Energy Act of 2008 to make improvements to the food safety education program carried out under such Act, and for other purposes; to the Committee on Agriculture.

By Mr. COHEN (for himself, Mr. CONYERS, and Mr. GRIJALVA):

H.R. 3496. A bill to amend the Higher Education Act of 1965 regarding proprietary institutions of higher education in order to protect students and taxpayers; to the Committee on Education and the Workforce.

By Ms. DeLAURO:

H.R. 3497. A bill to amend the Internal Revenue Code of 1986 to increase the dollar limitation on the exclusion for employer-provided dependent care assistance; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas (for himself and Mr. PERRY):

H.R. 3498. A bill to allow individuals to choose to opt out of the Medicare part A benefit and to allow individuals opting out of such benefit to be eligible for health savings accounts; to the Committee on Ways and Means.

By Mrs. KIRKPATRICK (for herself, Mr. DeFAZIO, Mr. HINOJOSA, Ms. BROWNLEY of California, Mr. BARBER, Mrs. NAPOLITANO, Mr. GRIJALVA, Mrs. CHRISTENSEN, Ms. SINEMA, Mr. MICHAUD, Mr. RAHALL, Mr. LOWENTHAL, Ms. KUSTER, Mrs. DAVIS of California, Ms. SHEA-PORTER, Mr. HONDA, Mr. ENYART, and Mr. McNERNEY):

H.R. 3499. A bill to provide for advance appropriations for certain information technology accounts of the Department of Veterans Affairs, to include mental health professionals in training programs of the Department, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. NORTON (for herself, Ms. MOORE, Ms. KAPTUR, Mr. CARSON of Indiana, Mr. RANGEL, Ms. BROWN of Florida, Mr. ELLISON, Ms. FUDGE, Mr. CONYERS, Mr. JOHNSON of Georgia, Ms. JACKSON LEE, and Ms. SCHAKOWSKY):

H.R. 3500. A bill to provide for the compensation of Federal contractor employees that were placed on unpaid leave as a result of the Federal Government shutdown, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. SERRANO:

H.R. 3501. A bill to authorize the Secretary of Housing and Urban Development to provide assistance to eligible nonprofit organizations to provide specialized housing and supportive services for elderly persons who are the primary caregivers of children that are related to such persons; to the Committee on Financial Services.

By Mr. SMITH of New Jersey:

H.R. 3502. A bill to encourage States to expand the protections offered to victims of sex offenses who are not in a familiar or dating relationship with the perpetrators of such offenses; to the Committee on the Judiciary.

By Mrs. BEATTY (for herself, Mr. RYAN of Ohio, Ms. NORTON, Mr. ELLISON, Mr. GRIJALVA, and Ms. BORDALLO):

H. Con. Res. 64. Concurrent resolution supporting the goals and ideals of suicide prevention awareness; to the Committee on Energy and Commerce.

By Mr. OLSON (for himself, Mr. WESTMORELAND, Mr. BUCSHON, Mr. WILLIAMS, Mr. YOHO, Mr. WEBER of Texas, Mr. FARENTHOLD, Mr. FLORES, Mrs. BACHMANN, Mr. GOHMERT, Mr.

HUNTER, Mr. AMODEI, Mr. DUNCAN of South Carolina, Mr. BRIDENSTINE, Mr. DESJARLAIS, Mr. SAM JOHNSON of Texas, Mr. STOCKMAN, Mr. CONAWAY, Mr. ROE of Tennessee, and Mr. MASSIE):

H. Res. 411. A resolution impeaching Eric H. Holder, Jr., Attorney General of the United States, for high crimes and misdemeanors; to the Committee on the Judiciary.

By Mr. CARTWRIGHT (for himself, Mr. JONES, Mr. CONYERS, Mrs. NAPOLITANO, Mr. CRAMER, Mr. CRAWFORD, Mr. WOLF, Mr. LAMALFA, Mr. POE of Texas, Mr. BENTIVOLIO, Mr. PETERS of California, Mr. FOSTER, Mr. PASCRELL, Ms. SINEMA, Ms. ROSLEHTINEN, Mrs. BUSTOS, Ms. NORTON, Mr. ENYART, Mr. BARBER, Mr. MARINO, Mr. ROTHFUS, Mr. BARLETTA, and Mr. COLLINS of New York):

H. Res. 412. A resolution amending the Rules of the House of Representatives to require a reading of the names of members of the Armed Forces who died in the previous month as a result of combat operations; to the Committee on Rules.

By Mr. GRIMM (for himself, Mrs. BEATTY, Mr. HANNA, Mr. SCHNEIDER, Mr. KING of New York, Mr. WALZ, Mr. RUNYAN, Mr. POLIS, Mr. GIBSON, Mr. LEWIS, Ms. NORTON, Mr. HINOJOSA, Ms. JACKSON LEE, Mr. TAKANO, Mr. MEEHAN, Mr. MURPHY of Florida, and Mr. WALDEN):

H. Res. 414. A resolution supporting the goals and ideals of American Education Week; to the Committee on Oversight and Government Reform.

MEMORIALS

Under clause 3 of rule XII,

152. The SPEAKER presented a memorial of the Legislature of the Commonwealth of Puerto Rico, relative to Resolution No. 27 requesting the President and the Congress to initiate the process of admission of Puerto Rico as the 51st State of the United States of America; to the Committee on Natural Resources.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. RYAN of Ohio introduced a bill (H.R. 3503) to authorize the award of the Distinguished Service Cross to Robert L. Towles for acts of valor during the Vietnam War; which was referred to the Committee on Armed Services.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. BARTON:

H.R. 3481.

Congress has the power to enact this legislation pursuant to the following:

[clause 3 of] section 8 of article 1 of the Constitution

By Mr. GARRETT:

H.R. 3482.

Congress has the power to enact this legislation pursuant to the following:

Article I, 1, Section 8, Clauses 1 ("The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States"), 3 ("To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes"), and 18 ("To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof").

By Mr. POLIS:

H.R. 3483.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

Article I Section 8, Clause 18 of the United States Constitution, and Amendment II of the United States Constitution.

By Mr. JOHNSON of Georgia:

H.R. 3484.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3.

By Mr. PRICE of Georgia:

H.R. 3485.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the authority enumerated in Clause 3 of Section 8 of Article I of the United States Constitution.

By Mr. GRAVES of Georgia:

H.R. 3486.

Congress has the power to enact this legislation pursuant to the following:

Tenth Amendment—

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Article I, Section 8, Clause 7—

The Congress shall have Power . . . To establish Post Offices and Post Roads

By Mrs. MILLER of Michigan:

H.R. 3487.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 4, Clause 1.

By Mr. MEEHAN:

H.R. 3488.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1; and Article I, section 8, clause 18 of the Constitution of the United States

By Mr. TIBERI:

H.R. 3489.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. GRAVES of Missouri:

H.R. 3490.

Congress has the power to enact this legislation pursuant to the following:

This Act is justified by the sixteenth amendment, which grants Congress the power to lay and collect taxes on income.

By Mr. McDERMOTT:

H.R. 3491.

Congress has the power to enact this legislation pursuant to the following:

The principle constitutional authority for this legislation is clause 1 of section 8 of article I of the Constitution of the United States, which states: "The Congress shall have power to lay and collect taxes . . ."

By Mrs. LUMMIS:

H.R. 3492.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2: "The Congress shall have power to dispose of and

make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular state."

By Mr. WALBERG:

H.R. 3493.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. BLUMENAUER:

H.R. 3494.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution provides clear authority for Congress to pass legislation regarding our national transportation program and safety regulations within that program.

By Mr. CARDENAS:

H.R. 3495.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 1.

All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. COHEN:

H.R. 3496.

Congress has the power to enact this legislation pursuant to the following:

The changes made by this bill to the Higher Education Act are within Congress' authority under Article I, section 8, clause 1 of the Constitution.

By Ms. DELAURO:

H.R. 3497.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 and the Sixteenth Amendment

By Mr. SAM JOHNSON of Texas:

H.R. 3498.

Congress has the power to enact this legislation pursuant to the following:

"The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States)."

By Mrs. KIRKPATRICK:

H.R. 3499.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18:

"The Congress shall have Power To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof."

By Ms. NORTON:

H.R. 3500.

Congress has the power to enact this legislation pursuant to the following:

clause 7 of section 9 of article I of the Constitution.

By Mr. SERRANO:

H.R. 3501.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties,

Imposts and Excises shall be uniform throughout the United States. . ."

By Mr. SMITH of New Jersey:

H.R. 3502.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution.

Mr. RYAN of Ohio:

H.R. 3503.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the following Section 8 statements:

To make Rules for the Government and Regulation of the land and naval Forces.

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 24: Mr. POLIS, Mr. LUCAS, and Mr. VALADAO.

H.R. 32: Mr. MCKINLEY, Mr. BARROW of Georgia, Mr. ROE of Tennessee, and SEAN PATRICK MALONEY of New York.

H.R. 148: Mr. BRALEY of Iowa.

H.R. 182: Mr. MCNERNEY.

H.R. 276: Mr. SMITH of Missouri.

H.R. 351: Mr. TIPTON.

H.R. 366: Mr. BACHUS and Mr. MAFFEI.

H.R. 385: Mr. WALZ, Mr. GARRETT, Mr. CUMMINGS, and Mr. NEAL.

H.R. 495: Mr. SCHIFF.

H.R. 543: Mr. BISHOP of Georgia.

H.R. 578: Mr. PERRY.

H.R. 611: Mr. LATHAM.

H.R. 647: Mr. HECK of Nevada, Mrs. WALORSKI, Mr. BROWN of Georgia, and Mr. GINGREY of Georgia.

H.R. 680: Mr. CARTWRIGHT.

H.R. 685: Ms. MENG, Ms. GABBARD, and Mr. GERLACH.

H.R. 713: Mr. THOMPSON of California.

H.R. 721: Mr. CARSON of Indiana.

H.R. 863: Mr. PETERS of California.

H.R. 920: Mr. MCKINLEY.

H.R. 924: Mr. TAKANO.

H.R. 1020: Mr. SCHRADER.

H.R. 1074: Mr. PRICE of North Carolina, Mr. DOGGETT, and Mr. GINGREY of Georgia.

H.R. 1098: Mrs. MCCARTHY of New York.

H.R. 1209: Ms. NORTON.

H.R. 1250: Mr. WILSON of South Carolina and Mr. RYAN of Ohio.

H.R. 1337: Mr. DUNCAN of South Carolina and Mrs. HARTZLER.

H.R. 1354: Mr. PALLONE, Mr. McKEON, Mr. HASTINGS of Florida, Mr. WOMACK, and Mr. LOBIONDO.

H.R. 1500: Mr. LYNCH.

H.R. 1518: Ms. GABBARD, Mr. BERA of California, Mr. HUNTER, Mr. OWENS, Mr. BENTIVOLIO, Mr. GIBBS, Mr. JOHNSON of Georgia, Mr. MICHAUD, Mr. MULVANEY, and Mr. RIBBLE.

H.R. 1524: Mr. CARTWRIGHT.

H.R. 1557: Ms. NORTON.

H.R. 1563: Mrs. MILLER of Michigan, Mr. MURPHY of Florida, and Mr. RAHALL.

H.R. 1635: Ms. BASS.

H.R. 1696: Mr. HUFFMAN.

H.R. 1732: Mrs. BEATTY.

H.R. 1749: Mr. TIERNEY.

H.R. 1755: Mr. WATT and Mr. RICHMOND.

H.R. 1869: Mr. GRIFFIN of Arkansas, Mr. SWALWELL of California, and Mr. STEWART.

H.R. 1910: Ms. KAPTUR.

H.R. 1920: Mr. BARROW of Georgia and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1941: Ms. SCHWARTZ and Mr. BLUMENAUER.

H.R. 1975: Mr. DEFAZIO and Ms. BASS.

H.R. 1980: Mr. COURTNEY.

H.R. 1982: Mr. GUTHRIE.

H.R. 1995: Ms. MCCOLLUM.

H.R. 2012: Ms. SLAUGHTER and Mr. BLUMENAUER.

H.R. 2026: Mr. WALBERG.

H.R. 2027: Mr. COLE and Mr. COTTON.

H.R. 2030: Mr. DEFAZIO.

H.R. 2058: Mrs. CAROLYN B. MALONEY of New York, Mr. POCAN, and Mr. ISRAEL.

H.R. 2068: Mr. HORSFORD.

H.R. 2073: Mr. MORAN.

H.R. 2084: Ms. HAHN.

H.R. 2103: Mr. SMITH of New Jersey.

H.R. 2118: Mrs. MCCARTHY of New York.

H.R. 2195: Mr. HOLT, Mrs. DAVIS of California, and Mr. MCNERNEY.

H.R. 2315: Mr. LATHAM.

H.R. 2328: Mr. HOLDING.

H.R. 2429: Mr. BURGESS, Mr. COLLINS of Georgia, Mr. BENISHEK, and Mr. LANCE.

H.R. 2478: Mr. NEUGEBAUER, Mr. PITTS, Mr. WALBERG, Mrs. BACHMANN, Mr. BROOKS of Alabama, Mr. RIBBLE, Mr. LAMALFA, Mr. BARTON, Mr. OLSON, and Mr. WEBER of Texas.

H.R. 2482: Mr. JOHNSON of Georgia, Mr. BEN RAY LUJÁN of New Mexico, and Mr. McDERMOTT.

H.R. 2483: Mr. CUMMINGS.

H.R. 2499: Ms. SCHWARTZ, Mr. LANGEVIN, Mrs. CAROLYN B. MALONEY of New York, Mr. SMITH of Washington, Ms. LEE of California, Ms. CLARKE, Ms. MCCOLLUM, Mr. BECERRA, and Mr. FARR.

H.R. 2509: Mr. QUIGLEY.

H.R. 2510: Ms. BONAMICI.

H.R. 2521: Mr. MATHESON.

H.R. 2591: Mr. SESSIONS, Mr. McDERMOTT, Mr. MORAN, and Mr. RAHALL.

H.R. 2651: Mr. ROGERS of Michigan.

H.R. 2697: Mr. GRIMM and Mr. KENNEDY.

H.R. 2734: Ms. DUCKWORTH.

H.R. 2772: Mr. PRICE of North Carolina.

H.R. 2791: Mr. AMODEI.

H.R. 2866: Mr. SALMON, Mr. POSEY, Mr. BRALEY of Iowa, Mr. UPTON, Mr. WALDEN, Mr. DENT, Mr. SESSIONS, Mr. MURPHY of Pennsylvania, Mr. LANKFORD, Mr. WOODALL, Mr. LOEBSACK, Mr. HANNA, Mr. ENGEL, Mr. MATHESON, Ms. SINEMA, Ms. GABBARD, Mr. BURGESS, Mr. PITTS, Mr. GOHMERT, Mr. BARTON, Mr. ROONEY, Mr. SOUTHERLAND, Mr. HALL, Mr. MARCHANT, Mr. McKEON, Mr. DENHAM, Mr. SMITH of Texas, Ms. LOFGREN, Mr. KENNEDY, Mr. GRIMM, and Mrs. BLACKBURN.

H.R. 2896: Ms. SCHWARTZ.

H.R. 2902: Ms. FUDGE and Ms. NORTON.

H.R. 2907: Mr. SMITH of New Jersey and Mr. YARMOUTH.

H.R. 2909: Mr. NOLAN, Mr. MAFFEI, Ms. KAPTUR, Mr. PERLMUTTER, and Mr. YARMUTH.

H.R. 2939: Mrs. NEGRETTE MCLEOD.

H.R. 2998: Mr. MCGOVERN.

H.R. 3040: Ms. MCCOLLUM.

H.R. 3043: Mr. McDERMOTT and Mr. BEN RAY LUJÁN of New Mexico.

H.R. 3061: Mr. HUFFMAN.

H.R. 3077: Mr. BROWN of Georgia.

H.R. 3086: Mr. MULLIN, Mr. DIAZ-BALART, Mrs. WAGNER, Mr. AUSTIN SCOTT of Georgia, Mrs. CHRISTENSEN, Mr. GRIJALVA, and Mr. JONES.

H.R. 3113: Mrs. MCCARTHY of New York.

H.R. 3121: Mrs. CAPITO.

H.R. 3133: Mr. HURT, Mr. DUFFY, Mr. NEUGEBAUER, Mr. GOWDY, Mr. DUNCAN of Tennessee, and Mr. FARENTHOLD.

H.R. 3154: Mr. RIGELL and Mr. COTTON.

H.R. 3155: Mr. SMITH of Nebraska.

H.R. 3172: Ms. LOFGREN, Mr. FARR, and Ms. ROYBAL-ALLARD.

H.R. 3199: Mr. FARENTHOLD.

- H.R. 3229: Mr. COLE and Mr. KILMER.
 H.R. 3240: Mr. STIVERS.
 H.R. 3299: Mr. SMITH of Nebraska, Mr. SCHWEIKERT, Mr. GUTHRIE, Mr. BILIRAKIS, and Mr. HUIZENGA of Michigan.
 H.R. 3303: Mr. BURGESS.
 H.R. 3306: Mrs. McMORRIS RODGERS and Mr. PETERS of California.
 H.R. 3310: Ms. BROWNLEY of California.
 H.R. 3312: Ms. CASTOR of Florida.
 H.R. 3319: Mr. CHAFFETZ.
 H.R. 3322: Mr. MORAN.
 H.R. 3327: Mr. THOMPSON of Mississippi, Mr. BARROW of Georgia, and Mr. ENYART.
 H.R. 3335: Mrs. HARTZLER and Mr. FRANKS of Arizona.
 H.R. 3350: Mr. COBLE, Mr. CULBERSON, and Ms. SINEMA.
 H.R. 3359: Mr. JORDAN, Mr. BENISHEK, and Mr. BUCSHON.
 H.R. 3360: Mr. HECK of Nevada, Mr. COFFMAN, and Mr. CALVERT.
 H.R. 3367: Mr. SCHWEIKERT.
 H.R. 3370: Mr. SHERMAN, Mrs. NEGRETE McLEOD, Ms. LOFGREN, Mr. MCGOVERN, Mr. GERLACH, Mr. COURTNEY, Mr. POCAN, and Mr. SWALWELL of California.
 H.R. 3376: Mr. JOHNSON of Ohio, Mr. DUFFY, and Mr. JONES.
 H.R. 3377: Mr. AMODEI.
 H.R. 3384: Mr. MCNERNEY.
 H.R. 3385: Ms. BROWNLEY of California.
 H.R. 3389: Mr. ROTHFUS and Mrs. BACHMANN.
 H.R. 3395: Mr. COURTNEY.
 H.R. 3401: Mr. GRIJALVA and Mr. CLAY.
 H.R. 3406: Mr. LANKFORD.
 H.R. 3408: Mrs. WALORSKI, Mr. RIGELL, and Mr. GRIMM.
 H.R. 3413: Mr. GRIFFIN of Arkansas, Mr. GIBBS, Mr. BARR, Mrs. NOEM, and Mr. BUCSHON.
 H.R. 3416: Mr. HARRIS, Mr. BENTIVOLIO, and Mr. LONG.
 H.R. 3427: Mr. NADLER.
 H.R. 3429: Mr. JONES and Mr. MULLIN.
 H.R. 3443: Mr. JONES, Mr. CÁRDENAS, and Mr. LOWENTHAL.
 H.J. Res. 43: Mr. SHERMAN, Ms. LINDA T. SÁNCHEZ of California, Ms. HAHN, Mr. NOLAN, Mr. CICILLINE, and Ms. ROYBAL-ALLARD.
 H.J. Res. 56: Mr. POCAN and Mr. SEAN PATRICK MALONEY of New York.
 H. Con. Res. 16: Ms. CASTOR of Florida.
 H. Res. 97: Mr. COTTON.
 H. Res. 147: Mr. O'ROURKE and Mr. ROTHFUS.
 H. Res. 153: Mr. MULLIN.
 H. Res. 190: Ms. BROWNLEY of California.
 H. Res. 231: Mr. SIMPSON, Ms. TSONGAS, and Mr. GRIFFIN of Arkansas.
 H. Res. 247: Mr. PRICE of North Carolina and Mr. HECK of Washington.
 H. Res. 249: Mr. DEFAZIO.
 H. Res. 250: Mr. BENTIVOLIO.
 H. Res. 254: Mr. DEFAZIO and Mr. CÁRDENAS.
 H. Res. 281: Mr. KLINE, Mr. KINGSTON, and Mr. CARSON of Indiana.
 H. Res. 356: Mr. BENISHEK, Mr. COTTON, and Mr. PETERSON.
 H. Res. 357: Mr. SOUTHERLAND.
 H. Res. 405: Mr. MILLER of Florida.
 H. Res. 406: Mr. MCGOVERN.